



Staff Report Revised

STAFF REPORT DATE: June 7, 2019

HEARING DATE: June 12, 2019

TO: Interested Parties

FROM: Jana Fox, Current Planning Manager

PROPOSAL: **Life Time Fitness Beaverton
DR2018-0128 / LD2019-0008 / LO2018-0005 / SDM2018-0007
/ TP2018-0009**

LOCATION: The primary site is located north of Highway 26, west of SW Cedar Hills Boulevard, and South of SW Barnes Road. The project site is also identified as Tax Lot 1700 on Washington County Assessor's Map 1S103A. Limited street and utility work is proposed off-site on 165 SW Cedar Hills Boulevard (Washington County Assessor's Map 1S103AB, Tax Lot 200) and 1525 SW Choban Lane (Washington County Assessor's Map 1S103BA, Tax Lots 1300, 1400 and 2300).

SUMMARY: The applicant, Life Time Fitness, proposes to construct a new recreational facility, including approximately: 140,000 square feet of athletic facilities, 45,000 square feet of shared workspace/office, 37,000 square feet of outdoor pool area, a 619 space parking garage, and associated surface parking, landscaping, and storm water facilities. The applicant seeks approval of the following land use applications: A Design Review Three for the construction of the facility and site improvements. A Replat One for Lot Consolidation application to combine three lots of record into one lot. A Loading Determination to reduce the number of required loading berths from five (5) to two (2). A Sidewalk Design Modification for a five (5) foot wide off-site replacement sidewalk along SW Cedar Hills Boulevard north of SW Barnes Road, a like for like replacement. A Tree Plan Two application for removal of Community Trees within the subject site as well as removal of Community Trees and trees within a Significant Natural Resource Area (SNRA) on the property across SW Barnes Road to allow for storm sewer and road construction (Tax Lot 200).

APPLICANT/
PROPERTY OWNER:

LTF Real Estate Company, Inc
Megan Eaton
2902 Corporate Place
Chanhassen, MN 55317

APPLICANT'S
REPRESENTATIVE:

David Evans & Associates, Inc.
Kevin Apperson
2100 SW River Parkway
Portland, OR 97201

RECOMMENDATION:

**APPROVAL of DR2018-0128 / LD2019-0009 / LO2018-0005 /
SDM2018-0007 / TP2018-0009**

BACKGROUND FACTS

Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day	365-Day*
ADJ2018-0006	WITHDRAWN			
DR2018-0128	Sept. 5, 2018	Feb. 28, 2019	August 16, 2019	Feb. 28, 2020
LD2019-0008	April 3, 2019	April 3, 2019	August 29, 2019	April 3, 2020
LO2018-0005	Sept. 5, 2018	Feb. 28, 2019	August 16, 2019	Feb. 28, 2020
SDM2018-0007	Sept. 5, 2018	Feb. 28, 2019	August 16, 2019	Feb. 28, 2020
TP2018-0009	Sept. 5, 2018	Feb. 28, 2019	August 16, 2019	Feb. 28, 2020

* Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

Existing Conditions Table

Zoning	Corridor Commercial (CC)	
Current Development	Abandoned Fire Station & Vacant Land	
Site Size & Location	The site is located on the south side of SW Barnes Road, west of Cedar Hills Boulevard, and north of Highway 26. The site is approximately 9.32 acres in size.	
NAC	Central Beaverton NAC	
Surrounding Uses	Zoning: <u>North:</u> R1 <u>South:</u> Highway 26 <u>East:</u> CC <u>West:</u> Washington County Interim (TO:RC)	Uses: <u>North:</u> Vacant <u>South:</u> Highway 26 <u>East:</u> Shopping Center <u>West:</u> Restaurant

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Exhibits

Exhibit 1. Materials submitted by Staff

- Exhibit 1.1 Vicinity Map (page SR-5 of this report)
- Exhibit 1.2 Aerial Map (page SR-6 of this report)

Exhibit 2. Public Comment

Public Testimony has been provided to the planning Commission in the following Reports and memoranda, which are included by reference:

- Staff Report Dated May 8, 2019 (Exhibit 2.1 - Exhibit 2.4)
- Supplemental Memorandum, dated May 8, 2019 (Exhibit 2.5 – Exhibit 2.7)
- Supplemental Memorandum, dated May 13, 2019 (Exhibit 2.8 – Exhibit 2.21)
- Supplemental Memorandum, dated May 15, 2019 (Exhibit 2.22 – Exhibit 2.35)
- Written Material Provided at Public Hearing, May 15, 2019 (Exhibit 2.36)
- Supplemental Memorandum, dated June 5, 2019 (Exhibit 2.37 – 2.130)

Exhibit 3. Materials submitted by the Applicant

- Exhibit 3.1 Submittal Package (Provided with Staff Report, dated May 8, 2019)
- Exhibit 3.2 Exhibit 43 (Provided in Supplemental Memorandum, dated May 13, 2019)
- Exhibit 3.3 Supplemental Submittal Materials, dated May 29, 2019 (Provided in

Supplemental Memorandum, dated June 5, 2019)

Exhibit 3.4 Rebuttal Materials, dated June 5, 2019 (Provided in Supplemental Memorandum, dated June 5, 2019)

Exhibit 3.5 Final Statement, dated June 7, 2019 (Provided in Supplemental Memorandum, dated June 7, 2019)

Exhibit 4. Agency Comments

Exhibit 4.1 Washington County, dated May 6, 2019 (Provided with Staff Report, dated May 8, 2019)

Exhibit 4.2 ODOT, dated April 16, 2019 (Provided with Staff Report, dated May 8, 2019)

Exhibit 4.3 TVF&R, dated April 11, 2019 (Provided with Staff Report, dated May 8, 2019)

Exhibit 4.4 ODOT, dated May 15, 2019 (Provided with Supplemental Memorandum, dated May 15, 2019)

Exhibit 4.5 ODOT, dated May 29, 2019 (Provided with Supplemental Memorandum, dated June 5, 2019)

Exhibit 4.6 ODOT, dated June 5, 2019 (Provided with Supplemental Memorandum, dated June 5, 2019)

Public Comment Response

Staff has identified the following as the themes or issues raised in public testimony and addresses those issue herein, and/or refers to the portion(s) of the staff report and record in which those issue are addressed.

Procedure

The June 5, 2019 rebuttal testimony provided by Mr. Connors asserts that it is unfair to the community to limit the rebuttal period to one week given the fact that the applicant made changes to their proposal during the open record period. Staff notes that the applicant responded to one of the concerns previously raised by Mr. Connors, community members, and the Planning Commission that the buildings were too tall and the Major Adjustment should not be granted. The proposed modifications were in addressing the requested changes made. The review timelines were clearly set out by the Planning Commission in regards to the 14 day open record period and 7 day rebuttal period. In addition all materials provided during the 14 day open record period were posted on the City's website for public review and available for inspection by any party.

Public testimony received by Robin Sherwin and Christopher Lunt raised a concern that notice wasn't given to them and others who would be impacted. The City followed the noticing procedures of the Beaverton Development Code (BDC) in relation to Type 3 application processed. Staff notes that the parties concerned with not receiving notice are located significantly outside of the city's required 500 foot notice buffer required for Type 3 applications and therefore would not have received a directly mailed notice but would have access to notice of the project through other means such as, on-site posting, publication in the newspaper, notice through a CPO or NAC, notice posted on the website or in City Hall. Staff can find no evidence of a procedural error in relation to noticing.

Building Height & Mass

Public testimony raised concerns with the Height Adjustment that was requested by the Applicant for the Athletic Facility as well as the Parking Structure building. The applicant has revised their submittal to reduce the height of both structures to a maximum of 60 feet by removing the tennis program entirely, moving the office space to the top floor of the parking structure which requires lower ceilings than indoor tennis. As a result both buildings are proposed to be a maximum of 60 feet in height and the applicant has withdrawn their request for a Major Adjustment to Building Height, thereby addressing the concerns with approving the Major Adjustment by complying with the maximum height in the zoning district.

Public testimony raised at the hearing and in writing about concerns the proposed development would block scenic view corridors, as identified in Washington County's Cedar Hills-Cedar Mill Community Plan. Staff notes that Washington County's plan only applies to properties within unincorporated Washington County. The proposal is located within the City of Beaverton. The applicant provides an analysis of the scenic view protection identified in the Cedar Hills-Cedar Mill Community Plan (Community Plan) in their May 29, 2019 Memorandum (page 6). The applicant's analysis explained that the Community plan identifies Swede Hill Vista as the closest scenic viewpoint and states that the view shall be preserved as a point of scenic significance through the

establishment of scenic viewpoints, with vehicle turnout facilities, where appropriate. There are no height limitations imposed as part of the Community Plan and the height of the proposed structures does not preclude Washington County from implementing scenic viewpoints per their Community Plan. However, properties within the City of Beaverton are not subject to Washington County Community Plans. The City of Beaverton does not have any view corridor protections in this area. The applicant proposes to comply with the maximum heights of the CC zoning district, as noted above.

A commenter raised concerns that the maximum height in the zoning district was not properly determined and that the appropriate height limit of the parking structure/office building is 35 feet per Beaverton Development Code (BDC) Section 20.10.15 n. 6 which states, "Maximum building height of any building within 100 feet of a residentially zoned property is 35 feet." The City has consistently interpreted this provision with a focus on 'residentially zoned property' (emphasis added) as opposed to residentially zoned right-of-way. Staff notes that when a Zoning Map Amendment is processed there is no need to change to the zoning within the public right-of-way adjacent to real property, it is automatically adjusted to the centerline of the road when the mapping of the property rezoning is updated. Section 10.35.1 of the BDC states that 'When bordering a public right-of-way, all zoning district boundaries shall extend to the centerline of the right-of-way...' This provision, by distinguishing between properties and the public right-of-way make clear this point that zoning of properties is different than the zoning within a right-of-way. If the right-of-way were to be considered the same as property, in regard to zoning, the right-of-way would retain its own zoning independent of adjacent property, this is not the case, as made clear by the language in Section 10.35.1 of the BDC.

To the same point, the thresholds for Zoning Map Amendments reference changes for specific property or properties, no discussion is made of changing zoning for the right-of-way. In addition Section 40.97.10 of the BDC (Applicability for Zoning Map Amendments) states that the provisions for Zoning Map Amendments '...apply to a changes of the zoning designation of parcels of land within the City' (emphasis added). As discussed above, the City consistently interprets the term 'zoned property' to mean real property and not public right-of-way.

The rebuttal testimony provided by Mr. Connors, dated June 5, 2019 states that the project is still too massive and should be reduced in size. The evidence provided to substantiate this claim is that it is one of the largest clubs in Life Time's portfolio and that other cities have required them to shrink the size of their facilities. Staff notes that size of a proposal related to others in a company's portfolio or changes to proposed facilities proposed in other jurisdictions do not relate to the approval criteria for this proposal and as such cannot be considered.

Traffic

Public testimony provided a number of concerns about traffic, including; insufficiencies in the applicant's Traffic Impact Analysis (TIA), use of 2007 traffic study numbers, traffic impacts on surrounding development and the need for the applicant to mitigate the impacts of their proposed development. Staff will address these issues in turn and also cites the analysis of the proposed and required traffic impacts and mitigations as discussed in the Facilities Review report and required in the Conditions of Approval attached herein.

Testimony provided by Mr. Connors includes memoranda from Kittelson and Associates identifying issue they perceive with the traffic impact study. The first of those issues is related to the use of a study by Life Time Fitness in 2007 of a number of Life Time Fitness facilities and their trip generation numbers. The letter contends that the 2007 data undercounts the trips associated with these facilities for the following reasons: relied on lower than average member data, failed to account for seasonality of traffic counts, studied dissimilar clubs, failed to account for outdoor uses and contained calculation errors. Staff notes that the applicant's traffic consultant provided a response to these comments in the additional submittal material provided on May 29, 2019 as part of Exhibit 3.3 and refers the Commission to that memo. However this also overlooks the key piece of information about how the Traffic Study was conducted. The Beaverton Development Code (Section 60.55.20.4.D) identifies that a TIA shall include trip generation calculations from the latest published edition of the Institute for Transportation Engineers (ITE) manual. The same section allows the use of an alternative basis for trip generation with a rationale for using the alternative, however it does not require the use of alternative data, even if it is available. Josh Anderson of David Evans and Associates (DEA) provides the ITE traffic counts in the TIA submitted for the project and choose to include the 2007 study numbers in addition. The 2007 study numbers show a higher trip generation than the ITE. The applicant is not required to provide the 2007 numbers, nor to rely on the higher trip generating numbers, they are only required to utilize the ITE, however in an effort to better project the real impacts of development the applicant utilized the most conservative (highest trip count) numbers. City, Washington County, and ODOT staff all concur with the methodology used in the applicants TIA as meeting their agency requirements for transportation assessments, and none have objected to the TIA methodology and outcomes. The May 29, 2019 and June 5, 2019 memoranda from DES responds to the specific questions raised about the accuracy of the 2007 data. City planning and transportation staff has reviewed DEA's May 29, 2019 and June 5, 2019 memoranda and concurs with their conclusions.

In addition to the memo from Kittelson and Associates members of the public raised general concerns about traffic impacts from the proposed development and wanted Life Time Fitness to mitigate their traffic impacts. As noted in the TIA, Facilities Review Report, and Conditions of Approval the applicant is proposing, and is required, to construct a large number of traffic mitigation measures to increase capacity and safety in the area and provide relief to existing congested traffic systems. The applicant has conducted a TIA in accordance with the City of Beaverton, Washington County, and ODOT standards and has proposed traffic mitigation measure accordingly.

The Kittelson and Associates memoranda raise an issue with queue lengths at a number of intersections. DEA has addressed these concerns in their May 29, 2019 memoranda and explaining the way that the City and Washington County review intersections using volume to capacity ratios (v/c ratios) at intersections or lane groups depending on the agency. DEA further explains that Washington County and the City do not have specific standards for queuing deficiencies but can review for safety. ODOT does have queueing standards for ODOT facilities, the applicant has addressed queueing length for ODOT facilities to meet ODOT standards. The City, Washington County, and ODOT have provided conditions of approval for the City to include in their decision, none of these conditions included requests for additional capacity at these intersections at this time. Future development within the Sunset Station and Barnes

Road PUD area will likely require those improvements, however the agencies determined that they are not required at this time. As the facilities are owned and maintained by the three respective agencies it is within their jurisdiction to determine what improvements are requested or required for their facilities by a proposed development. Staff notes that for the majority of the intersections identified by Kittelson that the queueing deficiencies are existing and not created by the proposed development. It is not the responsibility of the applicant to mitigate existing conditions when there is no nexus for the improvement related to the proposed development under review.

Mr. Connors in his May 29, 2019 testimony contends that Life Time erred in utilizing the trip generation rate of office to apply to the Life Time Work co-working facility. DEA responds to this assertion in their June 5, 2019 memorandum. Staff notes that Mr. Connors relies on a newspaper article about WeWork facilities (a co-working space provider) containing more workers than typical office space. Staff notes that a newspaper article about cramped offices is not empirical evidence that can be used to support a traffic analysis. Currently the ITE does not include a special category for co-working spaces, as such the office category is the most relevant. The applicant was correct in applying the ITE's office trip generation numbers to the proposed use. Newspaper articles are not a substitute for accepted trip generation numbers or methods.

Livability

Public testimony raised a number of concerns related broadly to livability, including; a desire to keep the subject site as open space, a request that the city require sustainability measures in order to approve the development, noise concerns, existing vacant space, the size of the proposed facility, market saturation of gyms, and the cost of membership. To address these in turn, the subject site is zoned Corridor Commercial (CC), a zoning district which allows a broad number of uses, the City cannot without controlling or owning a property require that a certain use be proposed on a property or that it be kept vacant. The applicant is within their rights as a private property owner to make a land use application for any use permitted or conditional within the CC zoning district and have their proposal evaluated against the City's applicable regulations.

A handful of pieces of public testimony requested that the City require sustainability measures, such as solar panels, net zero emissions requirement, and other measures to ensure the development is sustainable. While the City is supportive of sustainability measures the Development Code does not include requirements for sustainability as part of the land use approval process, therefore staff cannot require these measure of the applicant.

Testimony raised concerns about the noise from the proposed facility. Noise issues are addressed within the City Code as a nuisance issue, not as a development standard. Violations of the City's noise ordinances are handled through a police or code enforcement process.

Numerous pieces of public testimony raised the issue of existing vacant buildings in the vicinity as well as previous gym/recreational facility uses that had closed in the area. As noted above in response to the comments that the City should require the site to remain as open space the applicant has the right to make an application for development of

their property under the Development Code. Utilization of existing buildings in the area prior to development of new buildings is not a criterion which can be used to evaluate a development proposal, neither is the success or failure of similar uses in the area.

Public testimony raised the question of why the facility is so large and that a smaller facility would be more reasonable on the site. The Development Code includes numerous provisions that effectively regulate the size of development, including items like, parking requirements, stormwater requirements, landscaping requirements, setbacks, etc. Development proposals are subject to these requirements and these types of requirements are evaluated within this Staff Report. The applicant's decisions to propose a certain size or program are a decision made by the applicant, which must still comply with Development Code requirements. Staff also notes that the applicant reduced the height of their previous proposal without increasing their building footprints, to address concern raised by the public regarding their proposed height.

The final livability concerns raised were those of market saturation of gym/recreational facilities and cost of membership. As noted previously the review of land use applications is limited to the criterion in the City's Development Code, market saturation of a particular type of use is not an approval criterion that can be considered in the land use process. Similarly the cost associated with any use is not an issue that can be considered by the City in the review of land use application.

Public testimony raised concerns that the proposal was not contributing toward the Sunset Station & Barnes Road PUDs open space requirement (PUD Condition of Approval COA) 43) and that it should be required to contribute to those requirements. The applicant correctly notes in their May 29, 2019 submittal that COA 43 requires open space at the time of development of residential uses. The applicant is not proposing residential uses on the site and therefore is not subject to COA 43 of the Sunset Station and Barnes Road PUD. The full condition language is:

43. To accommodate the open space requirements of Section 60.35.15 of the Development code, at the time of development of residential uses, the applicant must provide the required open space in conformance with Section 60.35.15 of the Development Code. Future open space must meet the specified width, length, size, and accessibility requirements of Chapter 60. (Planning/JF)

Staff notes that additional findings have been provided in response to criterion of approval B in the Facilities Review Report to reflect the language of COA 43.

Pedestrian Orientation

Staff provides findings related to pedestrian orientation in response to the Design Guidelines in the DR Section of the staff report, specifically responses to Sections 60.35.6.A-D of the BDC which start on page DR-9. One piece of public testimony incorporates an early completeness letter to the applicant from staff which discusses concerns about the pedestrian orientation of buildings. As noted in the applicant's June 5, 2019 memorandum the applicant worked to significantly improve the pedestrian orientation of the buildings on the site to improve the quality of the project and be sensitive to the needs of the proposed use. The purpose of providing early feedback in the review process, such as at the time of completeness review is to improve the overall outcomes and design of the project, which sometimes leads to having staff concerns

identified in early communication which are addressed by the applicant to the satisfaction of staff.

Outdoor Uses

There has been significant discussion in the public testimony, as well as by the application, about the applicability and interpretation of BDC Section 20.10.40. (Other CC Zoning Requirements) which reads:

Uses shall be subject to the following (excludes food cart pods, parks, and playgrounds):

- 1. Activity is conducted wholly within an enclosed structure, except for outside play areas for child care and educational facilities, transit centers, and as allowed in items 2 and 3 below.*
- 2. Accessory open air sales / display / storage shall be Permitted for horticultural and food merchandise only and shall constitute no more than 5% of the gross building floor area of any individual establishment.*

The primary issue raised in opposition to the proposal is that the proposed outdoor pool area does not qualify for any of the listed exemptions. In response the applicant asserts two primary arguments. The first is that the Section 20.10.40 is not intended to limit outdoor uses which are to be anticipated with allowed uses such as recreational facilities (pools, golf courses, skate parks, etc), the intent is to limit outdoor storage and sales activities. The second argument is that per the City's definition of structure, which was in place at the time of this provision, the pool is enclosed.

Staff notes the applicability of Section 10.20.6 of the BDC, particularly subsection C in this case which reads:

This code shall be interpreted reasonably, reading questioned regulations in relation to other sections such that an interpretation most full effectuates the intent and purpose of the regulations.

This provision is particularly relevant in that two provisions of the BDC appear to be in tension, the permission in the CC zone of Recreational Facilities as a Permitted use and the wholly enclosed provision of Section 20.10.40 (Other CC Zoning Requirements). The definition of Recreational Facilities in the BDC Chapter 90, states:

Facilities that are intended to provide amusement to the user, with limited allowance for spectators. This use includes, but is not limited to: theaters, health clubs, golf courses, non-motorized bicycle tracks, skateboard parks, swimming clubs or pools, tennis or handball or racquet clubs, bowling alleys, dance halls, skating rinks, indoor soccer fields, laser tag, paintball, or other similar uses.

The definition of Recreational Facilities includes a number of uses that can reasonably be expected to be conducted outdoors, including golf courses, non-motorized bicycle tracks, skateboard parks, swimming pools, tennis/handball/racquet clubs, and paintball uses. While these uses may be able to be performed indoors they are often reasonably outdoor uses. The applicant argues that if the intent was to require all of these uses to be performed indoors there would have been provisions for those uses that specify that they are indoor, as there is for 'indoor soccer fields' in the definition. The absence of

that requirement shows an intent to not specify that these types of facilities must be indoors. Staff concurs this is a reasonable interpretation that if all the listed sub-uses had been intended to be allowed only indoors it would have been specified as it is with soccer fields which are similar to many above listed uses such as golf, tennis, or swimming facilities which can be done either indoors or outdoors.

This provision is in tension with the plain reading of the wholly enclosed provision of BDC section 20.10.40 which requires uses to be wholly enclosed. Staff examines the intent of the wholly enclosed provision of BDC section 20.10.40 below.

Staff has reviewed the comments provided by both parties as well as the legislative history of this code provision and language of the current code. Staff notes that the CC zoning district is a relatively new zoning district within the City of Beaverton, however over time numerous iterations of commercial zoning districts have contains this wholly enclosed provision in some form or another and currently the CS and NS zoning districts have nearly identical provisions. Staff looked at this history of this provision in the commercial zoning districts overall since it appears consistently over time even though the titles and specific provisions of the commercial zoning districts have changed.

Staff traces the origins of a wholly enclosed provision to Ordinance 2050 (October 20, 1978) which was the origination of the City's current Development Code. In the 1978 code within commercial districts the following provision appears *'Retail Sales – Products Customer Fabricated, Processed, Assembled, Installed, Repaired, or Printed on the Premises Within an Entirely Enclosed Building.'* A similar provision was applied to the uses of 'Secondhand Stores' and 'Vehicle Repair shops' as well. In the same code a use of 'Public parks, parkways, recreation facilities, trails and related facilities' is listed as a permitted use in all commercial zoning districts and not subject to a wholly enclosed provision.

Staff next finds the wholly enclosed provision in a 1983 text amendment where at some point in the intervening five years the code has been amended to condense the list of uses and apply the following use restriction to numerous commercial zones:

- 2. *Uses shall be subject to the following conditions:*
- 2.1 *Activity is conducted wholly within an enclosed structure, except as allowed in Section 2.3 below*

The 1983 Amendment added the exclusion for parks and playgrounds as well as outdoor play areas for day care and school facilities, appears as such:

- 2. *Uses shall be subject to the following conditions (exclude parks and playgrounds):*
- 2.1 *Activity is conducted wholly within an enclosed structure, except for outside play areas for day care and school facilities and as allowed in Section 2.3 below*

The staff reasoning provided for the proposed amendment is to clarify the ordinance intent as these types of facilities differ from other uses/activities allowed in commercial districts distinguishing them from display and storage uses. The provision has remained

relatively unchanged in the intervening 36 years as other provisions of the Development Code have evolved significantly. Staff believes in looking at the legislative intent that the purpose of excluding parks/playgrounds/outdoor play areas was to differentiate between uses that included outdoors sales/display/storage/service from those that do not.

In addition the applicant asserts that according to a strict reading of the BDC the pools proposed by Life Time area located within a 'wholly enclosed structure.' The applicant points to the Webster's Third New International dictionary definition of 'enclose' which is:

To close in: surround: to fence off or in (common land) in order to appropriate to individual use.

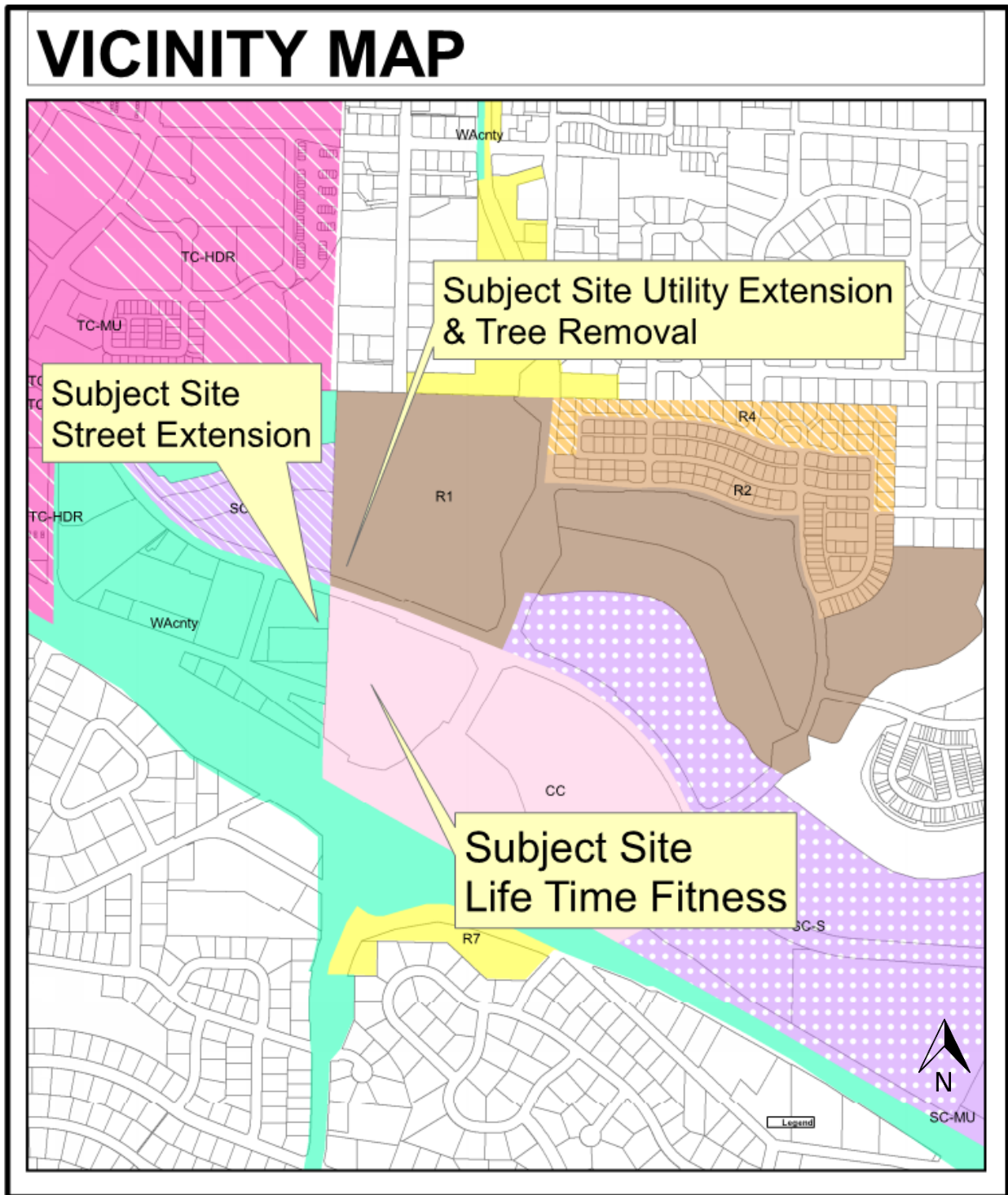
Chapter 90 of the BDC has two definitions of structure, however only one definition was in place in the 1983 development code when the provision was already in force, as such it should be relied upon as the definition most applicable to the proposal. The applicable definition of structure is:

Anything which is constructed, erected, or built and located on or under the ground, or attached to something fixed to the ground.

Using these two definitions of enclosed and structure a fenced or walled in area would be considered to be an enclosed structure. In the case of the proposal the pool facilities are completely surrounded by retaining walls, exterior building walls, and fences which qualify as structures and fully enclose the pools, thereby meeting the use restriction.

Tree Removal

Public comment was provided on the topic of tree removal and questions raised about whether the approval criterion were met for removal of trees from the subject site, as well as the site to the north (the R1 parcel). Staff refers to the findings provided to the Tree Plan approval criterion attached hereto. Staff also notes that some of the public testimony erroneously classified the trees on the Life Time Fitness site as Significant Trees. The trees on the Life Time Fitness site are Community or Landscape trees but not Significant Trees per the Development Code. The applicant provided additional analysis on the proposed tree removal in their May 29, 2019 memo (Exhibit 3.3). In response staff reviewed the provided tree removal tables, plans, and analysis and found that the applicant included trees in the numbers provided in the narrative as Community Trees which were actually too small to be considered Community Trees. Staff has updated the Tree Plan approval responses to reflect the correct numbers based on the tree plan sheets and tree inventory tables, as provided to the Commission with the original applicant packets.



**Life Time Fitness Beaverton
DR2018-0128 / LO2018-0005 /
LD2019-0008 / SDM2018-0007 / TP2018-0009
Zoning Map**



**Life Time Fitness Beaverton
DR2018-0128 / LO2018-0005 /
LD2019-0008 / SDM2018-0007 / TP2018-0009
Aerial Map**

**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
Life Time Fitness Beaverton
DR2018-0128 / LD2019-0008 /
LO2018-0005 / SDM2018-0007 / TP2018-0009**

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application, as presented, meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings below.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the submitted applications as identified below:

- **All twelve (12) criteria are applicable to the submitted Design Review Three application as proposed.**
- A. All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.***

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The Committee finds that the proposal includes necessary on-site and off-site connections and improvements to public water, public sanitary sewer and storm water drainage facilities.

Public Water

Tualatin Valley Water District is the public water service provider to the site. Currently two water lines traverse the subject site. The development proposes to re-route the existing waterlines to follow SW Barnes Road and SW 116th Avenue where they will connect with the existing water lines in SW Choban Lane. New direct water service will be provided to the site from the newly constructed in SW 116th Avenue. The Committee finds that adequate water service can be provided to the site to serve the proposed development.

Sanitary Sewer

Public sanitary sewer will be provided by the City of Beaverton. An existing public sanitary sewer line runs along the western property line of the subject site connecting SW Barnes Road to SW Choban Lane, where SW 116th Avenue will be constructed with the proposed development. Sewer laterals will be extended from this existing line to serve the proposed

development. The Committee finds that adequate sanitary sewer service can be provide to the site to serve the proposed development.

Storm Water

The applicant proposes to extend a new storm water line through Tax Lot 200, the property located north of SW Barnes Road, from the trunk line located north of Tax Lot 200. The new line will cross beneath SW Barnes Road and along the proposed SW 116th Avenue to the corner of the subject site. The applicant also states that storm water will be collected from the buildings and parking areas and conveyed to two water quality ponds on site. The applicant has provided a storm water report for the subject site as well as a Clean Water Services Service Provider Letter. The Committee finds that adequate storm water service can be provided to the site to serve the proposed development.

Transportation

The subject site is part of the Sunset Station and Barnes Road PUD (CU2013-0003) which was approved in 2013 and involved extensive transportation modeling and trip analysis. The conditions of approval for the PUD identify all of the transportation improvements that are necessary over the course of development of the entire PUD. As each phase of development is proposed a mini-TIA must be completed to determine what improvements are required for the specific development being proposed.

The applicant has conducted the required mini-TIA associated with the proposed development. The TIA assesses which conditions of approval of the Sunset Station and Barnes Road PUD Conditions of Approval are required with the proposed development. The TIA demonstrates that with construction of the following mitigation measures the additional traffic generated by the proposed development can meet the applicable mobility targets, as such staff recommends a condition of approval requiring the following transportation mitigation measures be completed, with one exception as discussed below:

- Construction of an off-street bi-directional multi-use bike/pedestrian pathway along the site frontage between SW Barnes Road and the future undercrossing of the Highway 26 westbound on-ramp, consistent with sheet C100. (PUD condition 4.b)
- Construction of half street improvements along the site frontage on Cedar Hills Boulevard to a minimum of five lane arterial standards including sidewalks, but not including a bike lane (provided by the multi-use bike/pedestrian pathway), consistent with sheet C400. For specific locational discussion see findings in response to B, below. (a portion of PUD condition 24)
- Construction of a traffic signal at the intersection of SW Barnes Road and SW 116th Avenue, including interconnection with the traffic signal at Cedar Hills Boulevard and Barnes Road. (PUD condition 6.a)
- For the eastbound approach to the intersection of SW Barnes Road and SW 116th Avenue, widen Barnes Road between 117th Avenue and 116th Avenue to provide a through lane, a through/right-turn lane, and a left turn lane with a minimum storage of 75 feet. Construction of a bike lane and a sidewalk, subject to available

right-of-way. Construction of left-turn lane does not include striping. (PUD condition 6.b)

- For the westbound approach to the intersection of SW Barnes Road and SW 116th Avenue, widen Barnes Road to provide a through lane, a through/right turn-lane, two left-turn lanes with a minimum storage length of 200 feet and a bike lane. Extend a continuous westbound side-by-side left turn lane from 116th Avenue to 117th Avenue. Extend a second westbound receiving lane. Construct a bike lane and sidewalk from 116th Avenue to 117th Avenue, subject to available right-of-way. Construction of second left turn lane does not include striping or a signal head. (a portion of PUD condition 6.c)
- For the northbound approach to the intersection of SW Barnes Road and SW 116th Avenue, construct a through/left-turn lane and a right turn-lane with a minimum storage length of 175 feet. Design traffic signal with a northbound right turn overlap signal phase. (PUD condition 6.d)
- Construction of half street improvements along the site frontage on Barnes Road to five lane arterial standards with bike lanes and sidewalks. (PUD Condition 22)
- For the southbound approach to the intersection of SW Cedar Hills Boulevard and SW Barnes Road, widen Cedar Hills Boulevard to provide a through lane, a through/right-turn lane with a storage length of between 180 and 200 feet, and a sidewalk extending the length of the through/right-turn lane. (a portion of PUD condition 5.b)
- For the eastbound approach to the intersection of SW Cedar Hills Boulevard and SW Barnes Road, widen Barnes Road to provide two right-turn lanes with a minimum storage length of 350 feet, two through lanes, a left-turn lane with a minimum storage length of 185 feet, a bike lane, and a sidewalk. (PUD condition 5.c)
- Modification of the traffic signal at the intersection of SW Barnes Road and SW Cedar Hills Boulevard to accommodate the above-described improvements to the intersection. (a portion of PUD condition 5.e)
- Widen the eastbound 2-lane approach from US 26 to SW Cedar Hills Boulevard to a 3-lane approach. The lane configurations should be: dedicated left-turn lane, shared, left/through/right-turn lane, and dedicated right-turn lane. The left and right-turn lanes should have a storage length of at least 300 feet. (PUD condition 2.d)
- Increase the signal cycle length of the US 26/OR217 at SW Barnes Road intersection from 110 seconds to 120 seconds.

The applicant has provided, in Appendix 22a (TIA Addendum 1), a table which identifies all Conditions of Approval included in the Sunset Station and Barnes Road PUD and which of those improvements are required as a result of the additional traffic generated by the proposed development.

Washington County has provided conditions of approval related to the required right-of-way dedication to provide sufficient area for the required transportation improvements. In addition Washington County has provided conditions of approval related to the required permitting process to conduct work within the SW Barnes Road and SW Cedar Hills Boulevard rights-of-way which are under the jurisdiction of Washington County. Staff incorporates Washington County's conditions of approval.

ODOT has provided the following conditions of approval for the proposed development from the Sunset Station and Barnes Road PUD, identified in their April 16, 2019 letter. ODOT's original recommended conditions are as follows:

- Pay ODOT \$276,797.50 as a contribution towards a variable message sign/variable speed sign to be installed by ODOT on OR 217 northbound between SW Walker Rd and the Barnes Road off-ramp. (PUD condition 10.b)
- Pay Washington County \$553,595 as a contribution toward the future construction of a bike/pedestrian pathway undercrossing at the westbound on-ramp to Highway 26. In lieu of paying the contribution towards the improvements, applicant at their own discretion may choose to construct the improvements as directed by ODOT and the County Engineer. (PUD condition 28)
- Provide a plan for and construct the ODOT sign bridge to accommodate the full future build-out of SW Cedar Hills Blvd. (PUD condition 36)

In addition to the special conditions described above ODOT provided standard conditions of approval related to permitting, right-of-way dedication, and deposits which are standards applicable to all projects requiring work in ODOT right-of-way.

ODOT in their conditions and findings letter dated April 16, 2019 identified their opposition to the TIA's recommended mitigation measure of modification of the signal timing length of the US26/OR217 at SW Barnes Road intersection, per ODOT's policy not to modify signal timing to address site specific development. In lieu of conditioning the increased signal timing ODOT recommends a condition of approval, described above, that the applicant comply with PUD condition 10.b and contribute to the variable message sign/variable speed sign to be installed by ODOT as a safety measure to help mitigate the impacts of the proposed development. Staff notes that ODOT in their June 5, 2019 letter is open to allowing signal timing modifications under certain conditions. As such staff recommends below a more flexible condition that allows ODOT to determine whether the applicant makes the VMS sign contribution or is allowed to utilize modification to signal timing. The proposed condition is described in detail below.

Since the original staff report was issued on May 8, 2019 ODOT has provided additional testimony (dated May 15, 2019, May 29, 2019 and June 5, 2019). In that testimony ODOT expresses concerns about the applicant not being required to construct the onramp approach to the bike/pedestrian pathway undercrossing. In their June 5, 2019 testimony ODOT describes a set of conditions they would be willing to support should the applicant be willing to build the onramp approach to the bike/pedestrian pathway undercrossing.

Staff is supportive of collaboration with ODOT and the Applicant on issues related to ODOT facility improvements. As the City has not received in writing similar consent to these conditions from the applicant, staff recommends providing flexibility in the conditions of approval to ensure the necessary mitigations are constructed or contributed to per the PUD but allows ODOT and the applicant flexibility to determine the specific structure of how those conditions are constructed and paid for. As such staff recommends additional language in the following condition related to the variable message/variable speed sign (additional language underlined):

- Pay ODOT \$276,797.50 as a contribution towards a variable message sign/variable speed sign to be installed by ODOT on OR 217 northbound between SW Walker Rd and the Barnes Road off-ramp. In lieu of the applicant paying the contribution toward the improvement, ODOT at its own discretion may choose to allow the signal length of the US 26/OR217 at SW Barnes Road intersection to be increased from 110 seconds to 120 seconds.

Staff notes that the condition of approval to pay the proportional share contribution toward the future construction of the bike/pedestrian pathway undercrossing at the westbound on-ramp to Highway 16 allows flexibility to construct the improvement or a portion of the improvement subject to direction from ODOT and the County Engineer.

In addition, in their original condition letter dated April 16, 2019 ODOT included standard conditions of approval related to permitting, right-of-way dedication, and deposits which are standards applicable to all projects requiring work in ODOT right-of-way, staff has included those conditions of approval.

The Committee concurs with the applicants TIA and mitigation measures identified in the TIA, by Washington County, and by ODOT, with the modifications and conditions discussed herein.

Fire Protection

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue (TVF&R). TVF&R has reviewed the proposal and provided conditions of approval specific to this development proposal, including the need for aerial fire apparatus access, fire flows, and secondary access. Staff incorporates the conditions of approval provided by TVF&R as part of the proposed conditions of approval. By meeting the conditions of approval, the proposal will meet TVF&R requirements, which will be verified at the time of Site Development Permit issuance.

Therefore, the Committee finds that, by meeting the conditions of approval, the proposal meets this criterion.

- B. Essential facilities and services are available, or can be made available, with adequate capacity to serve the development prior to occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five years of occupancy.***

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way.

Schools

The proposed development is within the Beaverton School District (BSD) boundaries. The proposal does not include any additional dwelling units which would affect school district capacity.

Parks

The site will continue to be served by the Tualatin Hills Park and Recreation District (THPRD).

Transit Improvements

Currently the site is served by the number 62 bus route which runs along SW Barnes Road from Cornell Road to Sunset Transit Center. Bus stops for the number 62 bus are located to the east and west of the subject site as well as across SW Barnes Road from the subject site. Bus route 20 travels along Cedar Hills Boulevard east of the subject site providing access to Sunset Transit Center, Downtown Portland, and Beaverton Transit Center. Access to the number 20 bus route is provided to the east of the subject site.

Pedestrian and Bicycle Facilities

The applicant states that the proposed development will include additional right-of-way dedication that will facilitate the accommodation of bike and pedestrian facilities. The applicant proposes to construct frontage improvements along SW Barnes Road, SW Cedar Hills Boulevard and the newly created SW 116th Avenue, as detailed below.

SW Barnes Road contains bike lanes adjacent to the applicant’s frontage and the applicant proposes to construct bike and pedestrian facilities on the SW Cedar Hills Boulevard frontage, consistent with the Sunset Station and Barnes Road PUD conditions of approval. Staff recommends a condition of approval that the multi-use bike and pedestrian path be constructed with a minimum of 10 feet of clear width to allow adequate width for both pedestrian and bicycle users.

The applicant proposes to comply with PUD condition 28 by paying ODOT the required \$553,595 toward the future construction of a bike/pedestrian pathway undercrossing at the westbound on-ramp to Highway 26. The condition of approval also allows the applicant, at their discretion, to choose to construct the improvement in lieu of paying the fee, as directed by ODOT and the County Engineer. The applicant provided a letter, dated April 25, 2019 in response to the original conditions of approval proposed by ODOT. The applicant accepts the majority of the conditions, including paying the proportion share contribution identified in PUD condition 28.

However the applicant asks for an interpretation of what their obligation to provide frontage improvements versus included as the bike/pedestrian pathway undercrossing. Staff notes in their review of condition of approval 28 from the PUD, as included in this report, that the description of the improvement uses the general language of ‘bike/pedestrian pathway undercrossing’ rather than a technical definition but a general term which should be interpreted in a reasonable plain language terms.

The definition of the term 'undercrossing' in Webster's Third New International Dictionary is not particularly helpful to applying meaning to this PUD condition, as it simply states:

:a crossing of a highway and another way (such as a road or railroad) at different levels.

also: the lower level of such a crossing

The lack of definition in the Beaverton Development Code paired with a broad definition leaves the analysis to apply logic to the interpretation. Staff believes it is reasonable to conclude that the ramped approaches (either ramped up or ramped down) that allow a pedestrian or cyclist to descend from the surface grade to the undercrossing tunnel is part of the structure of the facility. Without the ramped approaches there would be no purpose achievable to having a space below the on-ramp that was not able to be accessed due to lack of ramps, it would not compete the purpose of the condition of providing a bike/pedestrian pathway undercrossing allowing access from one side of the on-ramp to the other. Furthermore, without the undercrossing, there would be no need for the frontage improvements to include the excavation below grade or retaining wall construction for the ramps as part of ordinary frontage improvements. Therefore staff finds that the reasonable interpretation of the condition is that the undercrossing includes the entirety of the approach ramps and the structure under the on-ramp lane.

Utilizing the interpretation above staff interprets that the portion of the approach ramp is not intended to be counted as part of the frontage improvements but is part of the bike/pedestrian pathway undercrossing. However, staff has safety concerns about construction of the entire Multi-Use Path (MUP) at grade to the point of future crossing for two reasons; lack of safety at the at grade crossing and the cost of removing the at grade MUP section to allow for future undercrossing development.

The applicant requests to construct the required multi-use path (MUP) along the majority of their SW Cedar Hills Frontage. Due to the concern about building an at-grade dead-end sidewalk leading to an unsafe highway crossing, the applicant proposes to construct the MUP to the point of the internal pedestrian connection into the site. This includes construction of the MUP for the majority of the applicant's frontage. The construction to the internal connection point allows a safe path into the site for pedestrians or cyclists who wish to enter the site in this direction. The applicant requests to pay a fee in lieu for the construction of the remaining frontage MUP at grade, the cost of which is detailed in the applicant's letter dated April 25, 2019 (Exhibit 3.2) and totals \$76,388.

In order to comply with PUD condition 4b the City could require the applicant to build at grade MUP facilities, but this would dead end into the unsafe highway on-ramp crossing with no receiving path on the other side, presenting significant safety concerns. The combination of the cost of removal of an at grade MUP upon construction of the ramp into the undercrossing and the safety concerns described above lead staff to concur that fee in lieu of \$76,388 is appropriate. Staff recommends a condition of approval that an additional \$76,388 be provided in lieu of the MUP construction past the internal pedestrian connection to SW Cedar Hills Boulevard, as identified on the applicant's plan sheet C100. This fee in lieu would be used toward completing the undercrossing connection in addition to the \$553,595 already being paid to ODOT for the undercrossing.

Alternatively, if the applicant elects to construct the undercrossing, or portion thereof, including the portion along their site frontage, the proportional share condition would be unnecessary as the improvement would be constructed to the full extent anticipated by the PUD condition.

Staff notes the potential for safety concerns related to building the ramped approach to a depth sufficient to accommodate an undercrossing if not constructed with the full undercrossing. To address the potential safety concerns staff recommends a condition of approval that if the ramped approach is constructed it must be connected to the storm water system or provided with sufficient means to ensure it remains clear of water accumulation and fenced to provide a barrier for pedestrians and cyclists. In addition a barrier and signage plan would be needed until the full undercrossing construction is completed by ODOT. Staff recommends a condition of approval that requires a storm water, signage, and barrier plan be provided if the ramped approach is proposed to be constructed prior to completion of the full undercrossing improvement and be approved by the City Engineer.

The construction of the ramped approach would lead to an interim condition, until the full undercrossing is completed, that will require safety measures to be taken to avoid creating an unsafe condition. The construction of the bike/pedestrian multiuse pathway (MUP) to the internal walkway connection point allows a safe path into the site for pedestrians or cyclists who wish to enter the site in this direction and should be open to the public to use. However, the portion of the MUP undercrossing approach ramp beyond the internal pathway connection to the site must be signed as closed and the ramped area fenced or barricaded to preclude access to the ramped area until the full undercrossing improvement is complete. Staff proposes a condition of approval that until such time as the full facility and pedestrian connection to the SW Butner Road are built, the applicant shall be required to provide and construct a signage and barrier plan for the SW Cedar Hills Boulevard MUP to deter pedestrians and cyclists from continuing on past the end of the sidewalk. The City Traffic Engineer shall approve the signage and barrier plan prior to Site Development Permit Issuance.

Staff understands that there are numerous reasons that it may be advantageous for ODOT and the applicant to come to agreement about constructing the ramped approach (or entire undercrossing) with construction of the Life Time facility. The conditions of approval are intended to facilitate a number of options if both parties have reached mutual agreement. The conditions related to these improvements are intended to require the applicant to construct their minimum required mitigations while allowing flexibility to allow for construction of additional public improvements instead of paying fees toward future construction.

The applicant's plans on sheet C100 call out a gate for emergency access along the internal pedestrian connection to SW Cedar Hills Boulevard. A barrier to limit vehicular access to the site is necessary, however the applicant has not provided a plan showing what gate is to be used so staff cannot ascertain whether the gate would allow unrestricted pedestrian access to the site. As such, staff recommends a condition of approval that pedestrian access to the site be maintained at that location, with a minimum of 5 feet in clear width from the public sidewalk/multi-use path into the site, a plan for which must be provided prior to Site Development Permit issuance.

Police

The City of Beaverton Police will continue to serve the development site.

Open Space

The Sunset Station and Barnes Road PUD included a condition of approval (COA 43) that requires that an area equal to 20% of the entire PUD area be provided as open space to serve the PUD. This specific proposal does not include open space which would meet the requirements of the PUD, however there is no requirement that each parcel contain qualifying PUD open space. COA 43 requires open space at the time of development of residential uses. The applicant is not proposing residential uses on the site and therefore is not subject to COA 43 of the Sunset Station and Barnes Road PUD. The full condition language is:

43. To accommodate the open space requirements of Section 60.35.15 of the Development code, at the time of development of residential uses, the applicant must provide the required open space in conformance with Section 60.35.15 of the Development Code. Future open space must meet the specified width, length, size, and accessibility requirements of Chapter 60. (Planning/JF)

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

C. The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject proposal.

Staff cites the Code Conformance Analysis chart below, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the Corridor Commercial (CC) zone as applicable to the above-mentioned criteria. As demonstrated on the chart, the development proposal meets all applicable standards of the proposed zone.

Therefore, the Committee finds that the proposal meets the criterion.

D. The proposed development is consistent with all applicable provisions of Chapter 60 (Special Regulations) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Regulations), are provided or can be provided in rough proportion to the identified impact(s) of the proposal.

Staff cites the Code Conformance Analysis chart below, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60 in response to the above-mentioned criteria.

Transportation Facilities (Section 60.55)

The proposed development is consistent with the assumptions made in the Transportation Impact Analysis approved with the Sunset Station and Barnes Road PUD

in 2013. The applicant has, as required by the PUD, conducted a mini-TIA in order to assess the impacts of the proposed development in relation to the overall PUD approval. Transportation improvements are discussed in response to Criterion A of this report. Staff incorporates those findings herein.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

E. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities not subject to maintenance by the City or other public agency.

The applicant states that Life Time Fitness operates 139 clubs nationwide and as a luxury athletic facility it is in their best interest to maintain the premises to the highest standard. Life Time Fitness will maintain and operate the proposed facility and has an internal Operations and Maintenance Manual that outlines the requirements for all on-going maintenance of their facilities. Staff finds that the proposal, as designed, would allow for adequate maintenance of the proposed common facilities.

Therefore, the Committee finds that the proposal meets the criterion.

F. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

The applicant states that vehicular access to the site will occur in two locations, one from SW Barnes Road at the signalized intersection with SW 116th Avenue and the other from the terminus of SW Choban Lane. Internal to the site vehicles can access one of two surface parking areas or the parking structure through clear and direct accesses from SW 116th Avenue.

Pedestrian entrances to the site are provided along all street frontages as buildings and grades allow. Internal to the site pedestrian connections are differentiated from drive aisles by raised walkways, curbs and differentiated paving materials. Staff finds that one additional pedestrian connection is necessary through the northern surface parking lot to serve the parking spaces in the northwest corner of the parking lot which must traverse a significant distance to reach a safe pedestrian path. Staff recommends a condition of approval that the applicant provide a plan showing the additional pedestrian connection prior to Site Development Permit Issuance.

Staff finds that by meeting the proposed conditions of approval the proposed vehicular and pedestrian circulation systems within the proposed development are safe and efficient.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

G. *The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.*

The applicant's plans show vehicular connections to SW Barnes Road with the construction of SW 116th Avenue as well as the terminus of SW Choban Lane. The applicant provides two pedestrian connections into the site along SW 116th Avenue, one along SW Barnes Road, and one along SW Cedar Hills Boulevard. The connections to the surrounding sidewalk system are safe, efficient, and direct.

Therefore, the Committee finds that the proposal meets the criterion.

H. *Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.*

Fire protection will be provided by Tualatin Valley Fire & Rescue (TVF&R). Preliminary comments and conditions of approval have been received from Tualatin Valley Fire & Rescue (TVF&R), which are incorporated herein.

All building permits will be issued by the City of Beaverton Building Division of the Community Development Department and must comply with State of Oregon Building Code(s) and codes published by the International Code Council, as applicable.

The Committee concludes that, subject to meeting the conditions of approval, the site can be designed in accordance with City codes and standards and provide adequate fire protection.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

I. *Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from hazardous conditions due to inadequate, substandard or ill-designed development.*

The applicant states that all streets and public facilities are designed with crime prevention in mind and incorporate quality design that reduces places of concealment and provides adequate illumination. All proposed sidewalks and walkways will be adequately lighted to meet the minimum applicable Design Standards as a Condition of Approval.

The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

J. *Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.*

The applicant states that minor grading and contouring is proposed as part of the development. The subject site is bounded on essentially all sides by public roadways, impacts to neighboring properties are not anticipated. The applicant has provided a stormwater report and proposed stormwater facilities which will be fully reviewed with review of the Site Development Permit.

All new streets are required to meet the applicable standards of Section 210 of the EDM. Compliance with these standards will be reviewed with the Site Development Permits for the development; however, staff believe that grading can be feasibly accommodated in compliance with the EDM to show compliance with Site Development erosion control measures at the time of Site Development permit issuance.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

K. *Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.*

The applicant states that the development will provide access and facilities for the physically disabled. The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Compliance with ADA requirements are reviewed at the time of Building Permit application. The applicant has indicated that the street network and facilities are designed in accordance with the EDM to provide accessibility as required. Any required on-site pedestrian routes will meet the standards of the American with Disabilities Act (ADA). ADA ramps will be provided within the development to facilitate accessible travel.

Conformance with the technical design standards for Code accessibility requirements are to be shown on the approved construction plans associated with Site Development and Building Permit approvals. Staff finds that review of the proposed plans at Site Development and Building Permit stages are sufficient to guarantee compliance with accessibility standards.

Therefore, the Committee finds that by meeting the conditions of approval, the site will be in conformance with ADA requirements.

Therefore, the Committee finds that the proposal meets the criterion for approval.

- L. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.***

The applicant submitted the application on September 5, 2018. The applicant was deemed complete on February 28, 2019. In review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Therefore, the Committee finds the proposal meets the criterion.

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Corridor Commercial (CC)

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.10.20 (Uses)			
Office	Permitted	Office work area within the recreational facility.	YES
Retail Trade	Permitted	Retail pro-shop at the corner of SW Barnes Road and SW Cedar Hills Boulevard.	YES
Recreational Facilities	Permitted	Healthy club including pools, gym, restaurant, spa and other associated recreational facilities.	YES
Development Code Section 20.10.15 (Site Development Standards)			
Minimum Lot Area	None	8.183 net acres	YES
Minimum Yard Setbacks	None	Front (Barnes): 5 feet Rear (Hwy 26): 105 feet	SEE DR FINDINGS
Maximum Yard Setbacks	Parcels over 60,000 square feet governed by Design Guidelines	Side (Cedar Hills): 30 feet to 103 feet Side (116 th): 160 feet	
Maximum Building Height	60 feet	60 feet	YES

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Design Review Guidelines will be reviewed in the Design Review portion of the staff report.	See DR Findings
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	The site is not located within a Floodplain.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits requested.	N/A
Development Code Section 60.30			
Off-street motor vehicle parking	Minimum: 761 Maximum: 961	The applicant proposes 798 parking spaces, more than the minimum and less than the maximum.	YES
Required Bicycle Parking	Short Term Spaces: 12 Long Term Spaces: 22	The applicant has provided the required bicycle parking.	YES
Development Code Section 60.55			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	YES w/ COA
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	Removal of Community Trees and Trees within an SNRA. In addition the applicant proposes to remove 111 inches of DBH of Landscape Trees. The mitigation ratio for the removal of landscape trees is 1:1 DBH. The applicant proposes to plant 168 new trees on site for a total of 383.5 inches DBH, greater than the 111 inches of DBH removed. (All planted trees must be a minimum of 1.5 inch DBH at the time of planting)	See TP Findings & YES

Development Code Section 60.65			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	The applicant indicates all utilities will be placed underground. To ensure the proposal meets requirements of this code section, staff recommends a condition requiring undergrounding completion prior to occupancy.	YES- with COA

RECOMMENDATION AND CONDITIONS OF APPROVAL BY THE FACILITIES REVIEW COMMITTEE:

Recommendation

The Facilities Review Committee finds that the proposal complies with all the technical criteria. The Committee recommends that the decision-making authority in **APPROVE** the proposal **Life Time Fitness Beaverton**, subject to conditions of approval identified in Attachment G.

**DR2018-0128
ANALYSIS AND FINDINGS FOR
DESIGN REVIEW THREE APPROVAL**

Section 40.03.1 Facilities Review Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B and all the following criteria have been met:

Facilities Review Approval Criteria Section 40.03.1.A-L

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

Therefore, the Committee finds that the proposal meets the criteria.

Planning Commission Standards for Approval:

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Design Review Applications. The Commission will determine whether the application as presented, meets the Design Review Three approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 3 Design Review.

Section 40.20.15.3.C Approval Criteria: In order to approve a Design Review Three application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Design Review Three application.*

The applicant proposes to construct a new recreational facility, approximately 140,000 square feet in size, as well as a parking structure with 45,000 square feet of office on the upper floor. The site does not directly abut residentially zoned land. Therefore, the applicant meets Threshold 1 of a Design Review Three.

1. New construction of more than 50,000 gross square feet of non-residential floor area where the development does not abut any Residential zoning district.

Therefore, staff find that the criterion is met.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

The applicant paid the required fees for a Design Review Three application.

Therefore, staff find that the criterion is met.

3. ***For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).***

Staff cites the Design Guidelines Analysis at the end of this Design Review section, which evaluates the project as it relates the applicable Design Review Guidelines found in Section 60.05 of the Development Code. Staff reviews each Guideline with respect to the applicability of the Guideline to the project, the applicant's response and illustrative representation of the proposal. Staff provides an evaluation of the proposal in relation to the Guideline and a statement as to whether the Guideline is met.

Therefore, staff find the proposal will meet the criterion for approval by meeting the conditions of approval.

4. ***For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Guidelines if any of the following conditions exist:***

- a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or***
- b. The location of existing structural improvements prevent the full implementation of the applicable guideline; or***
- c. The location of the existing structure to be modified is more than 300 feet from a public street.***

The project proposal is a new Recreational Facility and does not include additions or modifications to existing buildings.

Therefore, staff find the criterion is not applicable.

5. ***For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.***

The applicant does not propose a DRBCP.

Therefore, staff find the criterion is not applicable.

6. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s). [ORD 4531; March 2010]***

The project proposal meets application Threshold #1 and, accordingly, is not subject to Design Standards.

Therefore, staff find the criterion is not applicable.

7. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is applying to instead meet the applicable Design Guideline(s).***

The project proposal meets application Threshold #1 and, accordingly, is not subject to Design Standards.

Therefore, staff find the criterion is not applicable.

8. ***Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted this Design Review Three application with associated Replat One, Loading Determination, Sidewalk Design Modification, and Tree Plan Two applications. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. Staff suggests a condition of approval that approval of the Design Review Three application is dependent upon the Replat One, Loading Determination, Sidewalk Design Modification, and Tree Plan Two application approval.

Therefore, staff find the proposal will meet the criterion for approval by meeting the conditions of approval.

DESIGN REVIEW GUIDELINES ANALYSIS

In the following analysis, staff have only identified the Design Guidelines which are relevant to the subject development proposal. Non-relevant Guidelines have been omitted.

60.05.35 *Building Design and Orientation Guidelines.* *Unless otherwise noted, all guidelines apply in all zoning districts.*

1. Building Elevation Design Through Articulation and Variety

- B. *Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided.* (Standard 60.05.15.1.A and B)

Athletic Facility

The applicant states that the predominant architectural features are designed to provide vertical and horizontal articulation. The main roofline is emphasized with an extended bronze metal cornice at the third floor parapet. The entry massing cornice breaks up the main cornice and provides a well-defined canopy at the pedestrian level. Large glass and architectural metal panel bays are between pilasters centered around the entry. At the center mass of the building cantilevered trellises flank a blade canopy above the entry. The bay and pilaster cadence continues around all elevations of the building providing a four sided design.

The applicant utilizes a variety of exterior finishes including different types of stone faces, glazing, and metal panels. Bays are articulated with vertically and horizontally aligned mullions and reveals. Staff concurs that adequate visual interest is provided.

Office/Parking Facility

The applicant states that the office/parking facility mimics the clubs cornice treatment and employs a blade canopy at the retail office entrance corner at a pedestrian scale. The office/parking facility is connected to the athletic facility building by a third floor skyway. Decorative metal screens are used at the parking level wall openings on the north and east elevations to shroud the visual noise associated with parking structure. Vertical vegetation on the green screens will soften the northern and eastern street scale elevations. Large bays of glass on the east and west elevations, and throughout the third story on the north, west and east elevations to provide natural light to the office use and provide visual interest and articulation. At the northeast corner of the building the office space entrance includes three stories of glass at the corner entrance that wraps around to the northern elevation and provides the primary access to the office facilities, to activate the plaza area and additionally utilizes an entrance canopy. Staff concurs that adequate visual interest is provided.

Therefore, staff find the Guideline is met.

- C. *To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized.* (Standard 60.05.15.1.B)

Athletic Facility

The applicant states that the permanent architectural features are designed to provide vertical and horizontal articulation. The entry mass breaks up the main cornice and provides a well-defined entrance. Large glass and architectural panels are located between vertical pilasters centered on the entry. The building provides strong vertical columns of differentiated materials that emphasize the verticality of the building and break up the scale. Staff concur that vertical elements are adequately emphasized.

Office/Parking Facility

The applicant states that the building employs a similar vertical pilaster theme as the primarily building. The office entrance at the corner of SW Barnes Road and SW Cedar Hills Boulevard contains a three story vertical column of windows to emphasize the primary office entrance. Vertical columns break up vegetated screens and windows on the top floor. Staff concur that vertical elements are adequately emphasized.

Therefore, staff find the Guideline is met.

- D. *Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities.*
(Standard 60.05.15.1.B) [ORD 4531; March 2010]

Athletic Facility

The applicant states that the proposed athletic facility provides a comfortable pedestrian scale through building articulation, the use of trellis covered connections, glazing, canopies, lighting and string lights between buildings. The applicant provides clear connections into and through the site which are designed to be inviting for pedestrians. The limited site access, site shape, necessary programmatic layout and the need for building access control limit the amount of entrances that can be provided into the facility, in lieu of multiple entrances for pedestrians the applicant provides clear and direct connections from all public streets as well as the parking structure. Staff concurs that the buildings are of a comfortable pedestrian scale.

Office/Parking Facility

The applicant cites multiple design features that create a comfortable pedestrian environment. The building has a primary entrance to the office use at the northeast corner of the building which includes three stories of storefront glazing, canopies, trellises and accentuated architectural features to welcome pedestrians. The remainder of the building is articulated at a pedestrian scale and provides visual interest and pedestrian protection from the weather. Staff concurs that the buildings are of a comfortable pedestrian scale.

Therefore, staff find the Guideline is met.

- E. *Building elevations visible from and within 200 feet of an adjacent street or major parking*

area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street, common green, shared court, or major parking area should be avoided. (Standards 60.05.15.1.B, C, and D) [ORD 4542; May 2010]

Athletic Facility

The athletic facility building provides for articulation along all four facades and does not use large undifferentiated blank walls. Architectural features provided include windows, off-setting walls, bays, materials changes, and awnings. These features reflect the building's structural design and interior uses. Staff finds that the proposal does not include undifferentiated blank walls facing visible spaces.

Office/Parking Facility

The office/parking facility utilizes similar architectural features as the athletic facility, as well as green screens to allow parking lot ventilation and provide screening and visual interest. Architectural features provided include windows, off-setting walls, green screens, bays, materials changes, and awnings. Staff finds that the proposal does not include large undifferentiated blank walls facing visible spaces.

Therefore, staff find the Guideline is met.

2. Roof Forms as Unifying Elements

A. Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be highlighted. (Standards 60.05.15.2.A and B)

The applicant states that due to the height of the building roof forms may not always be distinguishable from the street however the roof forms contain distinctive treatments and cornices.

Athletic Facility

The applicant states that the main roofline of the athletic facility is emphasized with an extended bronze metal cornice at the third floor parapet. The roof forms of the athletic facility also has columns that project above portions of the roof line to avoid along linear roof lines and reflect the interior uses in the building. Staff finds that the athletic facility roof forms are distinctive and include variety.

Office/Parking Facility

The applicant states that the cornice of the office/parking facility mimics the cornice of the athletic facility. The office/parking building roof form contains a band of solid finish material between the upper band of windows and the cornice to provide visual interest. Strong vertical bands of architectural treatment break up the horizontal elements of the building. The entrance feature as well as the center of the northern elevation project above the roofline to provide visual interest. Staff finds that the office/parking facility roof forms are distinctive.

Staff concur that the proposed roof forms provide a variety of detail and create visual interest when viewed from the street.

Therefore, staff find the Guideline is met.

B. *Flat roofs should include distinctive cornice treatments.* (Standard 60.05.15.2.C)

The applicant states that the flat roof form utilizes parapets around both building's which include bronze metal cornice treatments along the athletic facility and the office/parking facility. Staff concur that the proposal applies distinctive cornice treatments.

Therefore, staff find the Guideline is met.

3. *Primary building entrances*

A. *Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, the design of buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, awnings, and canopies to protect pedestrians from the rain and sun.* (Standard 60.05.15.3.A)

Athletic Facility

The applicant states that the athletic facility will have a canopy and an arcade/trellis which provides a weather protected route from the parking deck to the main entrance. A canopy is provided above the main entrance to the facility in addition to at multiple locations along the building front. The applicant has not provided a trellis detail, in order to ensure that weather protection from rain and sun are provided staff recommends a condition of approval that the areas to be provided with a trellis have a solid canopy provided in order to provide adequate weather protection in lieu of an open trellis structure. Staff finds that by meeting the conditions of approval the athletic facility provides pedestrian weather protection.

Office/Parking Facility

The applicant states that a canopy is provided at the building office space primary entrance. In addition the pedestrian canopies and trellises along the west and north elevations where pedestrian are expected. The applicant has not provided a trellis detail, in order to ensure that weather protection from rain and sun are provided staff recommends a condition of approval that the areas to be provided with a trellis have a solid canopy provided in order to provide adequate weather protection in lieu of an open trellis structure. Staff finds that by meeting the conditions of approval the athletic facility provides pedestrian weather protection.

Therefore, staff find that by meeting the conditions of approval the Guideline is met.

- B. *Special attention should be given to designing a primary building entrance that is both attractive and functional. Primary entrances should incorporate changes in mass, surface, or finish to emphasize the entrance. (Standard 60.05.15.3.B)*

Athletic Facility

The applicant states that the athletic facility primary entrance is differentiated from the rest of the façade by a taller mass as well as a full curtain height wall with a stone wrapped portal. Glazing, trellis covered connections and special lighting will be used to highlight the primary entrance, as well as a projection above the roofline framing the entrance. Staff concur with the applicant that the primary building entrance is emphasized.

Office/Parking Facility

The applicant states that the main pedestrian entry to the office/parking facility as the office space entrance at the northeast corner of the building is emphasized with the use of a three story glass entry feature that wraps the corner in addition to trellis covered connections, glazing, blade canopies, and special lighting. The entrance has distinct massing to alert users to the entrance. Staff concur with the applicant that the primary building entrance is emphasized.

Therefore, staff find the Guideline is met.

4. Exterior Building Materials

- A. *Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, wood, terra cotta, and tile are encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays. (Standard 60.05.15.4.A)*

The applicant states that the buildings utilizes durable, long lasting, high end materials. Materials used include, honed stone, precast stone, acrylic finish system, glazing, metal architectural panels, metal screens, bronzed canopies and cornices. Staff concur that the proposed materials convey a sense of durability and adequate windows are provided.

Therefore, staff find the Guideline is met.

- B. *Where masonry is used for exterior finish, decorative patterns (other than running bond pattern) should be considered, especially at entrances, building corners and at the pedestrian level. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete. This guideline does not apply to developments in Industrial zones, where masonry is used for exterior finishes. (Standards 60.05.15.4.B and C)*

The applicant states that both building's utilized decorative stone throughout the buildings. The proposed stone patterns vary and are not running bond. Staff concur that the proposed stone patterns are adequate.

Therefore, staff find the Guideline is met.

5. Screening of Equipment.

All roof, surface, and wall-mounted mechanical, electrical, communications, and service equipment should be screened from view from adjacent public streets by the use of parapets, walls, fences, enclosures, dense evergreen foliage, or by other suitable means. (Standards 60.05.15.5.A through C)

The applicant states that roof-mounted equipment will be screened by the parapet wall. Staff concurs that all proposed mechanical equipment can be adequately screened.

Therefore, staff find the Guideline is met.

6. Building location and orientation in Commercial and Multiple Use zones.

- A. *Buildings should be oriented toward and located within close proximity to public streets and public street intersections. The overall impression should be that architecture is the predominant design element over parking areas and landscaping. Property size, shape and topographical conditions should also be considered, together with existing and proposed uses of the building and site, when determining the appropriate location and orientation of buildings (Standards 60.05.15. A and B)*

The office/parking facility is located at the corner of SW Cedar Hills Boulevard and SW Barnes Road. The primary office space entrance is located at that corner and provides a comfortable pedestrian space, including an outdoor plaza area, water feature, planter benches and other pedestrian amenities in addition to the primarily pedestrian entrance into the office space. The entrance is emphasized by a three story glazing system which wraps around the corner of the north and east elevations. The athletic facility building is located directly south of the office/parking facility along SW Cedar Hills Boulevard. The frontage in this area is unique as the Highway 26 westbound on-ramp cuts off a portion of the site from direct access onto SW Cedar Hills Boulevard. SW Cedar Hills Boulevard and SW Barnes Road are the two primary streets, the building have been provided in close proximity to the streets with architecture as the predominant feature and parking located behind off of SW 116th Avenue which provides the vehicular access to the site. The need for the pool to receive southern exposure and connect directly to the athletic building as well as the need to connect the office facility directly to the athletic building lead to the current site design where the uses are strung north-south along SW Cedar Hills Boulevard. Staff concurs that the buildings are located within close proximity to public streets and intersections and that architecture is the predominant feature.

Therefore, staff find the Guideline is met.

- B. *On Class 1 Major Pedestrian Routes, the design of buildings located at the intersection of two street should be consider the use of a corner entrance to the building. (Standards 60.05.15. B and D)*

SW Barnes Road and SW Cedar Hills Boulevard are both classified as Class 1 Major Pedestrian Routes (MPRs). The applicant has provided the primary entrance to the office space at the corner of the two MPRs along with the pedestrian plaza to provide a strong entry feature to the site for pedestrians.

Therefore, staff find the Guideline is met.

- C. *On Class 1 Major Pedestrian Routes, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities. (Standards 60.05.15. C and D)*

The office space primary entrance is located at the corner of SW Cedar Hills Boulevard and SW Barnes Road providing direct pedestrian access to the office space at the corner. Access to the parking structure is provided by vehicles from the SW 116th Avenue entrance. Pedestrian connections to the office space is provided by a breezeway from the main club facility. Internal walkways are provided around all buildings and through parking areas to provide pedestrian connectivity to primarily entrances.

The athletic facility's primary entrance faces SW 116th Avenue as it is the only side of the site that allows vehicular connections. The athletic facility starts at approximately the same location as the Highway 26 on-ramp starts to curve around the site, removing the direct connection to SW Cedar Hills Boulevard. A wide pedestrian path is provided between the multi-use path along SW Cedar Hills Boulevard to the front of the athletic facility. Staff concurs that the buildings are located within close proximity to public streets and intersections where possible and strong pedestrian connections are provided where public street frontage is not practical or possible.

Therefore, staff find the Guideline is met.

- D. *Primary building entrances should be oriented toward and located in close proximity to public streets and public street intersections. Property size, shape and topographical conditions should also be considered. (Standard 60.05.15.6.E)*

The applicant states that the office space primary building entrance is located at the intersection of SW Cedar Hills Boulevard and SW Barnes Road. As previously discussed the athletic facility does not have significant frontage on a public street due to the high speed on-ramp to Highway 26 and strong pedestrian connections are used to provide pedestrian access through the site to the primary entrance. Staff concur that the office space primary building entrance is oriented toward public streets and located at the intersection of two major pedestrian routes.

Therefore, staff find the Guideline is met.

7. Building scale along Major Pedestrian Routes.

- A. *Architecture helps define the character and quality of a street. Along Major Pedestrian Routes, low height, single story buildings located at the right-of-way edge are discouraged except where detached single family dwellings are permitted. (Standard 60.05.18.7.A and B)*

The applicant proposes a multi-story parking structure integrated into the building with the office space at the corner of SW Barnes Road and SW Cedar Hills Boulevard as well as a three story athletic facility along SW Cedar Hills Boulevard. No low height, single story building are proposed.

Therefore, staff find the Guideline is met.

- B. *Building height at or near the street should help form a sense of enclosure, but should not create an undifferentiated high wall out of scale with pedestrians. Building heights at the street edge should be no higher than sixty (60) feet without the upper portions of the building being set back from the vertical building line of lower building stories. (Standard 60.05.18.7.A)*

Athletic Facility

The building elevation is a maximum of 60 feet in height at the highest point, the majority of the building is 55 feet and 4 inches in height with the entry extending to 60 feet to provide visual interest and emphasize the building entrance. Staff concurs that the building heights creates a sense of enclosure while maintaining pedestrian scale.

Office/Parking Facility

The office/parking facility provide a sense of enclosure by being located at the public street. Significant attention is paid to providing pedestrian scale amenities and design along the building frontages. The total height of the parking structure is 60 feet in height. Staff concurs that the building height is greater not higher than 60 feet and creates a sense of enclosure while maintaining pedestrian scale.

Therefore, staff find the Guideline is met.

8. Ground floor elevations on commercial and multiple use buildings.

- C. *Excluding residential only development, ground floor building elevations should be pedestrian oriented and treated with windows, display areas or glass doorway openings to the extent possible and where appropriate to the design and use of the building. This guideline particularly applies to ground floor building elevations situated along Major Pedestrian Routes. (Standard 60.05.18.8.A)*

The applicant states that ground floor elevations utilize glazing, green screens, durable materials, canopies, and pedestrian scale design elements to ensure the building is pleasant for pedestrians. Where building entrances are not located along public streets strong pedestrian connections are provided to primarily entrances. The glazing elements

provide views into the active portions of the buildings. Staff concur that the proposed windows and glass treatment is appropriate for the use of the building.

Therefore, staff find the Guideline is met.

- D. *Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalks, or other space where pedestrians are allowed to walk should provide weather protection for pedestrians on building elevations.* (Standard 60.05.18.8.B)

The proposal provides weather protection along building elevations that are adjacent to walkways and public streets, main pedestrian pathways and at primarily entrances. Canopies and trellises are utilized for weather protection. The applicant has not provided a trellis detail, in order to ensure that weather protection from rain and sun are provided staff recommends a condition of approval that the areas to be provided with a trellis have a solid canopy provided in order to provide adequate weather protection in lieu of an open trellis structure. Staff finds that by meeting the conditions of approval the proposal provides adequate weather protection is provided on building elevations where pedestrians are most likely to walk.

Therefore, staff find that by meeting the conditions of approval the Guideline is met.

60.05.40. *Circulation and Parking Design Guidelines.* Unless otherwise noted, all guidelines apply in all zoning districts.

1. *Connections to public street system.*

The on-site circulation system and the abutting street system should provide for efficient access and circulation, and should connect the project to abutting streets. (Standard 60.05.40.1)

The applicant states that the applicant will construct 2/3 street improvements to create a new local street, SW 116th Avenue which provides a public street connection between SW Barnes Road and SW Choban Lane, providing direct access to the subject site and the adjacent property to the west. In addition the applicant is constructing frontage improvements along SW Barnes Road and SW Cedar Hills Boulevard. SW Barnes Road and SW Cedar Hills Boulevard are both access controlled streets so all vehicular connections to the site must be accommodated from SW 116th Avenue. One access is provided in the center of the new street, the second is provided directly across from SW Choban Lane, creating an intersection with one leg entering the subject site. Staff concur that the proposal adequately connects to the public street system.

Therefore, staff find the Guideline is met.

2. Loading area, solid waste facilities, and similar improvements.

- A. *On-site service, storage and similar activities should be designed and located so that these facilities are screened from an abutting public street. (Standard 60.05.20.2)*

On-site loading areas and trash enclosure are located on the east side of the building, opposite from the main building entrance and parking area. The site has public street access on every side, the location of the trash enclosure is adjacent to the on-ramp to Highway 26. The trash enclosure is screened from public view by a masonry enclosure with metal gates as well as eight (8) foot tall trellis panels to allow vegetative screening are proposed. Staff concur that the loading area and trash enclosure is appropriately located and adequately screened from public view.

Therefore, staff find the Guideline is met.

- B. *Except in Industrial districts, loading areas should be designed and located so that these facilities are screened from an abutting public street, or are shown to be compatible with local business operations. (Standard 60.05.20.2)*

The loading and service area is located on the east side of the building, adjacent to the trash enclosure. The loading areas are located closest to the Highway 26 on-ramp but is set back with landscape screening between the on-ramp and the loading area. An 8 foot tall trellis/green screen is proposed to screen the loading and solid waste facilities. Staff concur that the loading area and trash enclosure are appropriately located and adequately screened from public view.

Therefore, staff find the Guideline is met.

3. Pedestrian circulation.

- A. *Pedestrian connections should be made between on-site buildings, parking areas, and open spaces. (Standard 60.05.20.3.A)*

The applicant provides a series of pedestrian connections and paths throughout the site connecting parking areas and building entrances to each other and to the public street system on SW 116th Avenue, SW Barnes Road, and SW Cedar Hills Boulevard. The northwestern surface parking lot has one pedestrian connection, given the size of the parking field a second connection is necessary to provide a safe pedestrian connection to those parking in the northern and eastern portions of the parking lot, as such staff recommends a condition of approval that an additional pedestrian connection be provided.

Therefore, staff find that by meeting the conditions of approval the Guideline is met.

- B. *Pedestrian connections should connect on-site facilities to abutting pedestrian facilities and streets unless separated by barriers such as natural features, topographical*

conditions, or structures. (Standard 60.05.20.3.A)

The applicant provides connections to all adjacent public streets, including SW Barnes Road, SW 116th Avenue, and SW Cedar Hills Boulevard. Staff concur that the proposal provides sufficient pedestrian connections to adjacent streets and pedestrian facilities.

Therefore, staff find the Guideline is met.

- C. *Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations. (Standard 60.05.20.3.B)*

The applicant provides pedestrian connections from SW 116th Avenue, SW Barnes Road, and SW Cedar Hills Boulevard to the main building entrance as well as both buildings on site. Connections are provide to SW Barnes Road which provides transit access to the site. Staff concur that adequate pedestrian connections are provided to adjacent public streets.

Therefore, staff find the Guideline is met.

- D. *Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles (Standard 60.05.20.3.C through E)*

The applicant states that internal walkways have been located to minimize potential conflicts with vehicular circulation and parking and in order to facility safe connections to the surrounding street network and internal destinations. With an additional pedestrian connection in the northeast parking lot and the proposed pedestrian connections there are evenly spaced and separated pedestrian connections provided. Pedestrian connections are proposed to be differentiated paving materials here crossing drive aisles and within raised areas where not crossing drive aisles separation for pedestrians. Staff concur that adequate pedestrian connections are provided.

Therefore, staff find that by meeting the conditions of approval the Guideline is met.

- E. *Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.3.A through H)*

The applicant's proposal provides sidewalks along all public streets, as well as an internal pedestrian walkway system. Staff concur that the pedestrian system is adequate.

Therefore, staff find the Guideline is met.

- F. *Pedestrian connections should be designed for safe pedestrian movement and*

constructed of hard durable surfaces. (Standards 60.05.20.3.F through G)

The applicant states that pedestrian walkways connect primary entrances to public streets and are constructed of concrete. Pedestrian connections are a minimum of 5 feet in width. Staff concurs that the applicant has proposed hard durable differentiated surfaces for pedestrian connections.

Therefore, staff find the Guideline is met.

4. *Street frontages and parking areas. Landscape or other screening should be provided when surface parking areas are located along public streets. (Standard 60.05.20.4)*

The applicant has provided landscape screening areas between internal parking areas and public streets. The applicant proposes to use *Choisya Ternata* an evergreen shrub to provide screening as well as ground cover for additional visual interest. Staff concur that adequate screening is provided for surface parking areas along public streets.

Therefore, staff find the Guideline is met.

5. *Parking area landscaping. Landscape islands and a tree canopy should be provided to minimize the visual impact of large parking areas. (Standard 60.05.20.5.A through D)*

The applicant states that landscape islands are provided at an interval of one island for every ten (10) contiguous parking spaces. The landscape islands will have a minimum of 70 square feet with a minimum width of 6 feet and will be curbed to protect landscaping. The landscape islands will be planted with a tree having a mature minimum height of 20 feet.

Therefore, staff find the Guideline is met.

7. *Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones.*

A. *Pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.7.A)*

The proposal includes construction of a new sidewalks along SW 116th Avenue, SW Barnes Road, and SW Cedar Hills Boulevard. Pedestrian connections are also proposed from public streets to the primary building entrances. Staff concur that adequate pedestrian connections are provided along adjacent streets.

Therefore, staff find the Guideline is met.

- B. *Pedestrian connections should be provided along primary building elevations having building and tenant entrances.* (Standard 60.05.20.7.B)

The applicant states that the proposal includes pedestrian connections to all building entrances from adjacent public streets. Staff concur that adequate pedestrian connections are provided to building entrances.

Therefore, staff find the Guideline is met.

8. *Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple Use, and Commercial districts.*

- A. *On-site circulation should be easily recognized and identified, and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles.* (Standard 60.05.20.8)

The proposal connects to public streets and the sidewalk system in an easily recognized manner. Curbs and sidewalks are included in the design. All crosswalks will be concrete to differentiate from the vehicular pavement.

Therefore, staff find the Guideline is met.

- B. *Long, continuous parking aisles should be avoided if possible, and landscaped as necessary to minimize the visual impact.* (Standard 60.05.20.8)

The applicant states that internal walkways have been located to minimize potential conflicts with vehicular circulation and parking in order to facilitate safe connections to the surrounding street network. The northeastern parking lot includes one proposed primary pedestrian connection, staff recommends requiring a second pedestrian connection in order to break up the larger parking area. Landscape islands are proposed at regular intervals to minimize the visual impacts of the parking areas. Staff concur that the proposed parking area landscape islands, landscaping and pedestrian connections help to minimize the visual impact of the proposed parking facilities.

Therefore, staff find that by meeting the conditions of approval the Guideline is met.

60.05.45. *Landscape, Open Space and Natural Areas Design Guidelines.*

3. *Minimum landscaping for conditional uses in Residential districts and for developments in Multiple Use, Commercial, and Industrial Districts.*

- A. *Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings.* (Standard 60.05.25.3.A, B, and D)

The applicant states that landscaping has been designed to soften the edges of buildings and parking areas to add aesthetic interest and generally increase the attractiveness of the development. Plantings are proposed along the façade walls, throughout the surface parking areas, within the pool deck area, along the corner plaza and along the pedestrian sidewalks. Overall over 20 percent of the site will consist of landscaping. Staff concur that the proposed landscaping softens the edges of buildings and parking areas and adds aesthetic interest.

Therefore, staff find the Guideline is met.

- B. *Plazas and common areas designed for pedestrian traffic should be surfaced with a combination of landscape and decorative pavers or decorative concrete.* (Standard 60.05.25.3.C)

The applicant states that the small public plaza at the corner of SW Barnes Road and SW Cedar Hills Boulevard serves as a pedestrian amenity. The plaza will be hard surfaced with a combination of landscape and decorative paving. Staff concur that the pedestrian plaza utilizes a combination of decorative hardscape features.

Therefore, staff find the Guideline is met.

- C. *Use of native vegetation should be emphasized for compatibility with local and regional climatic conditions.* (Standard 60.05.25.3.A and B)

The applicant states that the proposed development will utilize native vegetation that is compatible with local climatic conditions.

Therefore, staff find the Guideline is met.

- D. *Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development.* (Standard 60.05.25.3.A and B)

The applicant states that mature trees will be retained where possible, due to the large scale of development only 2 trees are proposed to be preserved. In addition the applicant proposes to plant an additional 209 trees on the subject site as part of the site landscaping.

Therefore, staff find the Guideline is met.

- E. *A diversity of tree and shrub species should be provided in required landscaped areas.* (Standard 60.05.25.3)

The applicant states that a variety of tree and shrub species are proposed, as identified on the landscape plans. The applicant proposes 14 tree species, 13 shrub species and 14 types of grasses, perennials, and groundcover. Staff concur that a variety of trees and shrub species will be provided.

Therefore, staff find the Guideline is met.

6. Retaining Walls.

Retaining walls over six (6) feet in height or greater than fifty (50) feet in length should be architecturally treated, incorporated into the overall landscape plan, or screened by landscape material. (Standard 60.05.25.5)

The applicant states that one retaining wall, approximately 660-feet long and a maximum of 5 feet in height is proposed along the southern boundary of the site, between the pool area and highway 26. The retaining wall will have an architectural treatment that looks like chiseled stone.

Therefore, staff find the Guideline is met.

7. Fences and Walls

- A. *Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.25.6)*

The proposed plan includes fences around the exterior pool as well as the trash enclosure. The proposed fence is an iron black powdered coated fence slightly over six (6) feet in height. The masonry wall around the trash enclosure is architecturally treated and constructed of limestone. Staff concur that the proposed fence and walls will be constructed of durable and attractive materials.

Therefore, staff find the Guideline is met.

- B. *Fences and walls constructed in front yards adjacent to public streets should provide the opportunity to view into the setback from the street unless high traffic volumes or other conflicts warrant greater security and protection. (Standard 60.05.25.6)*

No new fences or walls are proposed along public streets.

Therefore, staff find the Guideline is met.

8. Changes to existing on-site surface contours at residential property lines.

The perimeters of properties should be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight. (Standard 60.05.25.10)

The site does not abut residentially zoned properties.

Therefore, staff find the Guideline is met.

9. Integrate water quality, quantity or both facilities.

Aboveground stormwater detention and treatment facilities should be integrated into the design of a development site and, if visible from a public street, should appear as a component of the landscape design. (Standard 60.05.25.11)

The applicant states that the above ground storm water detention and treatment facilities will be integrated into the design of the development site and will appear as a component of the landscape design. The applicant proposes a stormwater facility at the northeast corner of the site which is designed to blend in with the landscape design at the corner of SW 116th Avenue and SW Barnes Road. The water quality will be planted with a diverse mix of plants.

Therefore, staff find the Guideline is met.

10. Natural Areas.

Natural features that are indigenous to a development site, such as streams, wetlands, and matures trees should be preserved, enhanced and integrated when reasonably possible into the development plan. (Standard 60.05.25.12)

No significant groves or wetlands exist on site. The majority of existing Landscape Trees and Community Trees on site are proposed for removal to accommodate the proposed site and building improvements. Further information regarding tree removal can be found under the findings for the Tree Plan Type Two, Attachment G of this report.

Therefore, staff find the Guideline is met.

11. Landscape Buffering and Screening

- A. *A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening. (Standard 60.05.25.13)*

The subject property is zoned CC and is located across the street from property zoned Washington County Interim (TO:RC) to the east as well as an R1 parcel to the north. Development Code Table 60.05-2.5 states that the landscape buffer width cannot exceed a minimum yard setback dimension. The CC zoning district has no minimum setbacks, therefore no buffer requirements are applicable.

Therefore, staff find the Guideline is met.

60.05.50. Lighting Design Guidelines. (Standard 60.05.30.1 and 2)

1. *Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaries.*

The applicant states that all lighting will be placed to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaries. The lighting plan, shown on Sheet E100, shows compliance with the minimum lighting requirements for vehicular and pedestrian circulation areas, meeting safety requirements.

Therefore, staff find the Guideline is met.

2. *Pedestrian scale lighting should be an integral part of the design concept except for industrial projects. Poles and fixtures for pole-mounted lighting should be of a consistent type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building.*

The applicant states that pedestrian scale lighting is an integral part of the design concept. The project will utilize wall-mounted fixtures along the Athletic Facility and Office/Parking Facility structures. Bollard lighting will be placed at the front drop-off area near the entry. In addition, festoon lighting will be placed along the corrido between the two structures creating a pedestrian friendly environment. The lighting details appear to be architecturally appropriate for the design of the building.

Therefore, staff find that the Guideline is met.

3. *Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties and streets by incorporating lens-shields, shades or other measures to screen the view of light sources from residences and streets.*

The applicant states that the lighting plan will minimize direct and indirect glare impacts to adjacent properties by incorporating lens shields, shades and other measures to screen the view of the light source. The property is surrounded almost entirely by public streets. At the southwest corner of the site the maximum lighting standard of 0.5 foot candles is slightly exceeded. Staff recommends a condition of approval that would require the applicant to meet technical lighting standards (0.5 foot candle at the property line) unless the abutting property is within the public right-of-way. Staff concur that there will be minimal impacts to abutting and adjacent properties and streets.

Therefore, staff find that by meeting the conditions of approval the Guideline is met.

4. *On-site lighting should comply with the City's Technical Lighting Standards. Where the proposal does not comply with the Technical Lighting Standards, the applicant should describe the unique circumstances attributed to the use or site where compliance with the standard is either infeasible or unnecessary.*

The applicant provides a photometric plan which complies with the minimum internal property lighting of 0.5 foot candles. At the southwest corner of the site the maximum lighting standard of 0.5 foot candles is slightly exceeded. Staff recommends a condition of approval that would require the applicant to meet technical lighting standards (0.5 foot candle at the property line) unless the abutting property is within the public right-of-way.

Therefore, staff find that by meeting the conditions of approval the Guideline is met.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **DR2018-0128 (Life Time Fitness Beaverton)**, subject to the applicable conditions identified in Attachment G.

**LD2019-0008
ANALYSIS AND FINDINGS FOR
REPLAT ONE**

Section 40.45.05 Land Division Applications; Purpose

The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of land within the City of Beaverton.

Section 40.45.15.2.C Approval Criteria

In order to approve a Replat One application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The application satisfies the threshold requirements for Replat One.*

The applicant proposes to consolidate three (3) existing parcels that comprise the site into one parcel. The three existing parcels are within a single plat.

- 1. The reconfiguration of lots, parcels, or tracts within a single existing plat that decreases or consolidates the number of lots, parcels, or tracts in the plat*

Therefore, staff find that the proposal meets the criterion for approval.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

The applicant has paid the required application fee for a Replat One application.

Therefore, staff find that the proposal meets the criterion for approval.

3. *The proposed Replat does not conflict with any existing City approval, except the City may modify prior approvals through Replat process to comply with current Code standards and requirements.*

The proposed application would not conflict with an existing City approval.

Therefore, staff find that the proposal meets the criterion for approval.

4. *Oversized parcels (oversized lots) resulting from the Replat shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-*

way shall either exist or be provided to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.

An oversized parcel is defined in Chapter 90 as:

“A lot which is greater than twice the required minimum lot size allowed by the subject zoning district.”

The CC zone has no minimum lot size, therefore, oversized parcels cannot occur in the CC zone.

Therefore, staff find that the criterion for approval does not apply.

5. Applications that apply the lot area averaging standards of Section 20.05.15.D. shall demonstrate that the resulting land division facilitates the following:

a) Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,

b) Complies with minimum density requirements of the Development Code, provides appropriate lot size transitions adjacent to differently zoned properties, minimizes grading impacts on adjacent properties, and where a street is proposed provides a standard street cross section with sidewalks.

Lot averaging is not proposed with this development.

Therefore, staff find that the criterion for approval does not apply.

6. Applications that apply the lot area averaging standards of Section 20.05.15.D. do not require further Adjustment or Variance approvals for the Land Division.

Lot averaging is not proposed with this development.

Therefore, staff find that the criterion for approval does not apply.

7. If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.

The applicant states that no phasing is being requested as part of the Replat One request.

Therefore, staff find that the criterion for approval does not apply.

8. *The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties.*

The proposal would not eliminate access to the affected properties. As described in response to Section 40.03 above (Attachment A), critical and essential facilities adequately serve the site.

Therefore, staff find that the proposal meets the criterion for approval.

9. *The proposal does not create a parcel or lot which will have more than one zoning designation.*

Each lot that comprises the subject site is currently zoned CC. The proposed lot consolidation would not create a parcel with more than one zoning designation.

Therefore, staff find that the proposal meets the criterion for approval.

10. *Applications and documents related to the request requiring further City approval, shall be submitted to the City in the proper sequence.*

The applicant has submitted this Replat One application with associated Major Adjustment, Design Review Three, Loading Determination, Sidewalk Design Modification, and Tree Plan Two applications. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. The Replat One is not dependent upon approval of any associated applications.

Therefore, staff find that the proposal meets the criterion for approval.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **LD2019-0008 (Life Time Fitness Beaverton)**, subject to the applicable conditions identified in Attachment G.

**LO2018-0005
ANALYSIS AND FINDINGS FOR
LOADING DETERMINATION APPROVAL**

Section 40.50.05 Loading Determination Application; Purpose

The purpose of a Loading Determination is to establish mechanism to determine or modify the required number of off-street loading spaces or modify the off-street loading space dimensions in advance of, or concurrent with, applying for approval of an application, development, permit, or other action.

Section 40.50.15.1.C Loading Determination Approval Criteria:

In order to approve a Loading Determination application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Loading Determination application.

The applicant proposes to reduce the number of loading berths required for the proposed development from five (5) Type B berths to two (2). The applicant's request to reduce the number of required loading spaces from two (2) to one meets Threshold 2 for a Loading Determination application:

Threshold 2: A request to modify the total number of off-street loading spaces from the required number listed in Section 60.25 (Off-Street Loading) of this code.

Therefore, staff finds that the criterion is met.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

The applicant paid the required fee associated with a Loading Determination application.

Therefore, staff finds that the criterion is met.

3. The determination will not create adverse impacts, taking into account the total gross floor area and the hours of operation of the use.

The applicant states that the project can successfully operate with two loading berths. The applicant maintains numerous facilities throughout the county that accommodate loading needs through two type B loading berths. Café deliveries occur 2-3 times per week and typically occur with box trucks. Pool chemicals are delivered in small quantities at a frequency ranging from monthly to quarterly depending on the season. Beyond typical garbage service these are the only

services that require loading for the building on a regular basis.

Staff concurs that given the limited delivery needs, on-site facilities and applicant control of delivery times, the proposed loading space can adequately serve the proposed development without adverse impacts.

Therefore, staff finds that the criterion is met.

4. *There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the site and in connecting with the surrounding circulation system.*

The applicant states that the loading berth is served by an internal service road, providing safe, efficient vehicle movements away from the primary building entrances. No pedestrian connections will be obstructed by the loading berths. Staff concurs that the loading berths are located in a way to allow for safe circulation patterns.

Therefore, staff finds that the criterion is met.

5. *The proposal will be able to reasonably accommodate the off-street loading needs of the structure.*

Staff cites the conceptual schedule identified in the response to criteria three. The loading needs can be met with two loading berths through coordinated delivery schedules.

Therefore, staff finds that the criterion is met.

6. *The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that the improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.*

Staff cite the Facilities Review approval Criterion D which responds to this criterion in detail. Staff finds that the application complies with applicable provisions Chapter 60 nor can be made to comply through conditions of approval.

Therefore, staff finds that the criterion is met.

7. *Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas: drainage ditches, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and*

excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities not subject to periodic maintenance by the City or other public agency.

The applicant states that the site will be maintained as required. Staff finds nothing in the design or layout of the common facilities that would preclude adequate maintenance of the site. Additionally, staff sites Facilities Review criterion E as applicable.

Therefore, staff finds that the criterion is met.

8. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.*

The applicant has submitted all documents related to this request for Loading Determination approval. The application was submitted on September 5, 2018 and deemed complete on February 28, 2019.

Therefore, staff finds that the criterion is met.

9. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in proper sequence.*

The applicant has submitted all documents related to this request for Loading Determination approval. Design Review Three, Replat One, Sidewalk Design Modification, and Tree Plan Two applications are being processed concurrently with the subject request for a Loading Determination. The Loading Determination application is dependent upon approval of the Design Review Three application. Staff recommend a condition of approval which states that approval of the Loading Determination application is subject to approval of the Design Review Three application.

Therefore, staff finds that by meeting the conditions of approval the criterion is met.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **LO2018-0005 (Life Time Fitness Beaverton)**, subject to the applicable conditions identified in Attachment G.

**SDM2018-0007
ANALYSIS AND FINDINGS FOR
SIDEWLAK DESIGN MODIFICATION**

Section 40.58.05. Sidewalk Design Modification Application; Purpose

The purpose of the Sidewalk Design Modification application is to provide a mechanism whereby the City's street design standards relating to the locations and dimensions of sidewalks or required street landscaping can be modified to address existing conditions and constraints as a specific application. For purposes of this section, sidewalk ramps constructed with or without contiguous sidewalk panels leading to and away from the ramp shall be considered sidewalks. This section is implemented by the approval criteria listed herein.

Section 40.58.15.1.C. Approval Criteria

In order to approve a Sidewalk Design Modification application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.*

Section 40.58.15.1.A.1 Threshold: *An application for Sidewalk Design Modification shall be required when the following threshold applies:*

- 1. The minimum sidewalk width, planter strip width, or both minimum standards specified in the Engineering Design Manual are proposed to be modified.*

The applicant requests a modification of the sidewalk improvement standard identified by Engineering Design Manual (EDM) along a portion of SW Cedar Hills Boulevard to allow for 5 foot wide curb tight sidewalk with no planter strip. This area is north of SW Barnes Road and extends the distance of the road work required along a portion of SW Cedar Hills Boulevard in order to allow for construction of a shared southbound through/right turn lane at the intersection of SW Barnes Road, off-site from the proposed development. No development beyond road and utility work is proposed on the parcel subject to the SDM request. The proposal would match the existing five (5) foot wide curb tight sidewalk condition.

Therefore, staff finds the proposal meets the criterion for approval.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

The City of Beaverton received the appropriate fee for the Sidewalk Design Modification application.

Therefore, staff finds the proposal meets the criterion for approval.

3. ***One or more of the following criteria are satisfied:***
- a. ***That there exist local topographic conditions, which would result in any of the following:***
 - i. ***A sidewalk that is located above or below the top surface of a finished curb.***
 - ii. ***A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.***
 - b. ***That there exist local physical conditions such as:***
 - i. ***An existing structure prevents the construction of a standard sidewalk.***
 - ii. ***An existing utility device prevents the construction of a standard sidewalk.***
 - iii. ***Rock outcroppings prevent the construction of a standard sidewalk without blasting.***
 - c. ***That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, or Significant Tree Grove.***
 - d. ***That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.***

The applicant states that in order to build the standard sidewalk (6 foot sidewalk and 7 foot planter strip with 0.5 foot monumentation gap and 0.5 foot gutter) the applicant would need to acquire additional right-of-way or a slope easement in order to accommodate the needed back slope or extensive retaining wall that would be needed. The grade adjacent to the street drops off significantly. No development is proposed on the parcel subject to the Sidewalk Design Modification request and future development of that parcel will require compliance with the sidewalk standards. The applicant is replacing the current condition while completing off-site improvements to meet the traffic needs of the proposed development of Life Time Fitness. The applicant does not own or control the property adjacent to which the roadway work will take place. Therefore staff finds that the proposal meets criterion 3.a.ii and 3.d above.

Therefore, staff finds the proposal meets the criterion for approval.

4. ***The proposal complies with provisions of Section 60.55.25 Street and Bicycle and Pedestrian Connection Requirements and 60.55.30 Minimum Street Widths.***

Staff refer to and incorporate the findings of fact prepared in response to the Facilities Review approval criteria for this project, included in Attachment A to this report.

Therefore, staff finds that the proposal meets the criterion for approval.

5. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.*

The applicant has submitted all documents related to this request for Sidewalk Design Modification approval. Design Review Three, Replat One, Loading Determination, and Tree Plan Two applications are being processed concurrently with the subject request for a Sidewalk Design Modification. The Sidewalk Design Modification application is not dependent upon approval of the any associated applications.

Therefore, staff finds that the proposal meets the criterion for approval.

6. *The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.*

Staff refer to and incorporate the findings of fact prepared in response to the Facilities Review approval criteria for this project, included as Attachment A of this report.

Therefore, staff finds that the proposal meets the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **SDM2018-0007 (Life Time Fitness Beaverton)**, subject to the applicable conditions identified in Attachment G.

**TP2018-0006
ANALYSIS AND FINDINGS FOR
TREE PLAN TWO**

Section 40.90.05 Tree Plan Applications; Purpose

Healthy trees and urban forest provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and Significant Natural Resource Areas (SNRAs), and Community Trees, thus helping to preserve and enhance the sustainability of the City's urban forest.

Section 40.90.15.2.C Approval Criteria

In order to approve a Tree Plan Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Tree Plan Two application.*

The applicant proposes to remove 13 Community Trees from the Life Time Fitness sit to accommodate the physical development of the site. In addition the applicant proposes to remove 28 Community Trees and 5 trees within a Significant Natural Resource Area (SNRA) to accommodate the installation of a storm line and right-of-way improvements on and adjacent to Tax Lot 200, the R1 zoned parcel to the north of the Life Time Fitness site. The applicant proposes removal of an additional two (2) Community Trees from an adjacent property, for which they have provided written consent to accommodate the storm line installation. The proposal meets thresholds 1 and 3 for a Tree Plan Two.

- 1. Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period, except as allowed in Section 40.90.10.1.*
- 3. Commercial, Residential, or Industrial zoning district: Removal of up to and including 75% of the total DBH of non-exempt surveyed tree(s) found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services.*

Therefore, staff find that the proposal meets the criterion for approval.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

The applicant has paid the required fee for a Tree Plan Two application.

Therefore, staff find that the proposal meets the criterion for approval.

- 3. *If applicable, removal of any tree is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.***

The trees are not proposed for removal to observe good forestry practices. The trees are proposed for removal to accommodate the proposed development including a stormwater line with an outfall and grading to accommodate the right-of-way work within SW Barnes Road.

Therefore, staff find that the criterion for approval does not apply.

- 4. *If applicable, removal of any tree is necessary to accommodate physical development where no reasonable alternative exists.***

The applicant states that the proposed tree removal is being done to accommodate the physical development of the Life Time Fitness site and on the R1 parcel in order to facility utility provision and right-of-way improvements necessary to serve the proposed development. The applicant addresses this criterion further in their May 29, memo in which the applicant states that the largest tree located on the site, a 40 inch Giant Sequoia is proposed to be retained and incorporated into the design of the site, as is a 12 inch Fir tree in the same vicinity. The remaining 13 Community Trees are proposed to be removed in order to accommodate the applicant's proposed development, including the parking/office structure, the athletic facility, outdoor pool area, stormwater, and parking areas. The proposed removal of trees from Tax Lot 200, the R1 parcel north of the Life Time Site is to accomplish a public purpose and addressed under criterion 6 below. Staff concur that given the scope of the proposed development that removal of Community Trees from the Life Time site has been designed to retain and incorporate the largest tree on site and no reasonable alternative exists for preserving the trees.

Therefore, staff find that the proposal meets the criterion for approval.

- 5. *If applicable, removal of any tree is necessary because it has become a nuisance by virtue of damage to property or improvements, either public or private, on the subject site or adjacent sites.***

The trees are not proposed for removal to observe good forestry practices. The trees are proposed for removal to accommodate the proposed development including a stormwater line with an outfall and grading to accommodate the right-of-way work within SW Barnes Road.

Therefore, staff find that the criterion for approval does not apply.

- 6. *If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.***

The applicant states that the trees from Tax Lot 200 are proposed for removal to accommodate the proposed development including a public stormwater line with an outfall and grading to accommodate the right-of-way work within SW Barnes Road. With respect to the right-of-way improvements the applicant is required to widen SW Barnes Road which necessitates the need for construction of an embankment to hold the road in place. The grading for the embankment will require removal of Community Trees from the area of work. The stormwater line as well as the right-of-way work are serving a public purpose.

Therefore, staff find that the proposal meets the criterion for approval.

- 7. *If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, [or] to eliminate conflicts with structures or vehicles.***

The trees are not proposed for removal to observe good forestry practices. The trees are proposed for removal to accommodate the proposed development including a stormwater line with an outfall and grading to accommodate the right-of-way work within SW Barnes Road.

Therefore, staff find that the criterion for approval does not apply.

- 8. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in a reversal of the original determination that the SNRA or Significant Grove is significant based on criteria used in making the original significance determination.***

Five (5) trees are proposed to be removed within the SNRA to accommodate the stormwater facility. The applicant states that the original SNRA was determined from a wetland delineation as part of a Goal V resource analysis which was accepted by Metro and Clean Water Services (CWS). The removal of five (5) trees from within the wetland area will not result in a reversal of the wetland determination. The removal of five trees will not reverse the SNRA determination.

Therefore, staff find that the proposal meets the criterion for approval.

- 9. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.***

The Five (5) trees that are proposed to be removed within the SNRA are situated in a

small linear pathway that is designed to allow for construction of the stormwater line and outfall. The removal of these five (5) trees will not result in a large opening or isolated trees that would lead to an increase in potential for wind throw. Staff finds that the proposal will not result in a safety hazard due to the effects of windthrow.

Therefore, staff find that the proposal meets the criterion for approval.

10. *The proposal is consistent with all applicable provisions of Section 60.60 Trees and Vegetation and Section 60.67 Significant Natural Resources.*

Staff cites the Code Conformance Analysis chart at the end of the Tree Plan Staff Report, which evaluates the project as it relates to applicable code requirements of Sections 60.60 through 60.67, as applicable to the aforementioned criterion. As demonstrated on the chart, the proposal complies with all applicable provisions of Chapter 60.60 and 60.67.

Therefore, staff find that the proposal meets the criterion for approval.

11. *Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.*

This approval criterion is identical to Facilities Review approval criterion J and the response contained within the revised Facilities Review report (Attachment A, above) is hereby cited and incorporated. The applicant's proposal balances accommodating the proposed use and mitigating the adverse effects on neighboring properties.

Therefore, staff find that the proposal meets the criterion for approval.

12. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.*

The applicant submitted the application on September 5, 2018. The applicant was deemed complete on February 28, 2019. In review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Therefore, staff finds that the proposal meets the criterion for approval.

13. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.*

The applicant has submitted this Tree Plan Two application with associated Design Review Three, Replat One, Loading Determination, and Sidewalk Design Modification applications. Concurrent review of the applications satisfies this criterion. No other

applications are required of the applicant at this stage of City review. Staff suggests a condition of approval that approval of the Tree Plan Two application is dependent upon the Design Review Three approval.

Therefore, staff find that by meeting the conditions of approval the proposal meets the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **TP2018-0009 (Life Time Fitness Beaverton)** subject to the applicable conditions identified in Attachment G.

Code Conformance Analysis
Chapter 60.60 Trees and Vegetation & Chapter 60.67 Significant Natural Resources

CODE SECTION	CODE REQUIREMENT	PROJECT PROPOSAL	MEET STANDARD
60.60.15 Pruning, Removal, and Preservation Standards			
60.60.15.1A-B	Pruning Standards	The applicant does not proposal pruning.	N/A
60.60.15.2.A	Removal of Protected Trees must be in accordance with this section.	The proposed tree removal will comply with this section upon Tree Plan approval.	YES
60.60.15.2.B	Mitigation is required as set forth in 60.60.25	No mitigation is required for Community Trees. The five trees proposed for removal within an SNRA do not account for 50% or more of the DBH within the SNRA, therefore no mitigation is required.	N/A
60.60.15.2.C.1	Standards for SNRA & Significant Groves	Removal does not include greater than 75% of the DBH within the SNRA.	YES
60.60.15.2.C.2	DBH shall be retained in cohesive Preservation Areas.	DBH is proposed to be retained in cohesive areas.	YES
60.60.15.2.C.3	Native understory vegetation and trees shall be preserved in Preservation Areas.	Native understory is proposed to be preserved. Impact in the SNRA is limited to 5 trees for a stormwater line/outfall.	YES
60.60.15.2.C.4	Preservation Areas shall be clustered and connect with adjoining portions of the SNRA or Significant Grove.	Impact in the SNRA is limited to 5 trees for a stormwater line/outfall.	YES
60.60.15.2.C.5	Preservation Areas shall be set aside in conservation easements.	Impact in the SNRA is limited to 5 trees for a stormwater line/outfall. The SNRA area is subject to a land division application which will place the area within a Tract.	YES
60.60.15.2.C.6	Preservation Areas conditioned for protection through the Land Division process.	No land division is proposed for the parcel containing the SNRA.	N/A
60.60.15.2.C.7	Native species shall be preferred for preservation over non-native species.	Trees are proposed to be removed for utility construction.	N/A
60.60.15.2.C.8	Hazardous and dead trees should be fallen only for safety and left at the resource site unless the tree has been diagnosed with a disease.	Impact in the SNRA is limited to 5 trees for a stormwater line/outfall. None of the proposed trees are dead or diseased.	N/A

60.60.20 Tree Protection Standards During Development			
60.60.20.1	Trees shall be protected during construction by a 4' orange plastic fence and activity within the protected root zone shall be limited. Other protections measures may be used with City approval.	For the trees to be retained compliance with this standard is required.	YES w/ COA

CONDITIONS OF APPROVAL**DR2018-0128 Design Review Three****A. Prior to Issuance of Site Development Permits, the applicant shall:**

1. Ensure that the Replat One (LD2019-0008), Loading Determination (LO2018-0005), Sidewalk Design Modification (SDM2018-0007), and Tree Plan Two (TP2018-0009) applications have been approved and are consistent with the submitted plans. (Planning / JF)
2. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD/NP)
3. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, current standards in place per the City Engineering Design Manual and Standard Drawings, Beaverton Development Code (Ordinance 2050, 4010 +rev.), the current standards in place per the Clean Water Services District, Design and Construction Standards, and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD/NP)
4. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions utilizing the process set out in the Beaverton Development Code, and the City Engineering Design Manual; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD/NP)
5. Provide assurances that the ownership of the subject project will guarantee improvements and work per the detailed cost estimate format and breakdown in the site development permit application. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD/NP)
6. Submit any required easements under the City of Beaverton's authority, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. Submit copies of other recorded easements for the project as needed from property ownerships within the City of Beaverton (Site Development Div./JJD/NP)
7. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to areas within County-permitting authority. (Site Development Div./JJD/NP)
8. Submit to the City a copy of issued permits or other approvals needed from ODOT for work within, and/or construction access to areas within ODOT-permitting authority. (Site Development Div./JJD/NP)

9. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District for public water system construction. (Site Development Div./JJD/NP)
10. Submit a completed 1200-C Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. The applicant shall use the standard plan format per requirements for sites 5 acres or larger adopted by DEQ and Clean Water Services. (Site Development Div./JJD/NP)
11. Submit a copy of Service Provider Letter Amendment from CWS for the off-site storm sewer improvements as shown on site plans. (Site Development Div./JJD/NP)
12. Submit a copy of issued permits or other approvals as needed from the State of Oregon Division of State Lands and the United States Army Corps of Engineers for work within or affecting a jurisdictional wetland. (Site Development Div./JJD/NP)
13. Obtain the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD/NP)
14. Obtain the Clean Water Services District Stormwater Connection Permit as a part of the City's plan review process. (Site Development Div./JJD/NP)
15. Provide final construction plans and a final drainage report demonstrating compliance with City surface water management requirements and maintenance access per Section 530, of City Resolution 4542 and with CWS Resolution and Order 2017-05. This also includes design of the off-site storm sewer. (Site Development Div./JJD/NP)
16. The applicant shall provide an arborist's evaluation of the proposed work near the protected trees. The evaluation shall examine any anticipated impacts to the trees as a result of the proposed construction and finished condition, including but not limited to hydrologic changes, compaction effects, and root disturbance. Any recommended mitigation measures or construction methods to reduce or eliminate adverse effects on the trees shall be incorporated into the construction documents and shown on the approved site development permit plans. In lieu of such an arborist's evaluation, written documentation that a licensed landscape architect is satisfied with the proposed work must be submitted to the City prior to issuance of the site development permit. (Site Development Div./JJD/NP)
17. Provide plans that delineate all areas on the site that are inundated during a 100-year storm event, including the safe overflow conveyance from proposed constructed storm water management facilities. On all plan sheets that show grading and elevations, the 100 year inundation level shall be identified. (Site Development Div./JJD/NP)
18. Provide plans showing that encroachments in the public right of way or public easements shall be a non-structural attachment or in other words not integral (removable without damage) to the building structure. If a revocable right of way encroachment permit is desired by the owner or required by a financial institution or insurance company, the City

Attorney will need to be consulted to prepare a specific document for this situation. (Site Development Div./JJD/NP)

19. Obtain the City Building Official's courtesy review of the proposed private site utility plans per OAR 918-780-0040. (Site Development Div./JJD/NP)
20. Provide construction plans that show how each lot will be independently served by public utility systems as required by the City Engineer and City Building Official. Any extra-capacity water, sanitary, and storm water facility improvements, as defined and determined by the City Utilities Engineer, shall be eligible for system development charge credits to be assigned to lots. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot's paved area to another lot's paved area shall not be considered a direct plumbing service. (Site Development Div./JJD/NP)
21. Submit a design for all retaining walls greater than four feet in height, designed by a civil engineer or structural engineer for the expected soil and ground water conditions. (Site Development Div./JJD/NP)
22. Submit a grading plan that meets provisions of Beaverton Code 9.05.110 and 9.05.115. No grading can occur within 10 feet of a property line or half the height of the vertical embankment created, whichever is greater. This applies to all exterior property boundaries of the proposed project. The proposed grading plan shall also have a minimum building pad elevation that is at least one foot higher than the maximum possible high-water elevation (emergency overflow) of the SWM facility. Additionally, a minimum finish floor elevation that is at least three feet higher than the maximum possible high-water elevation shall be established for each new building lot and documented on the plans. (Site Development Div./JJD/NP)
23. Submit to the City a certified impervious surface determination of the proposed project prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces on the site. In addition, specific types of impervious area totals, in square feet, shall be given for roofs, equipment pads, parking lots and driveways, sidewalk and pedestrian areas, and any gravel or pervious pavement surfaces. Calculations shall also indicate the square footage of pre-existing impervious surfaces, modified existing impervious, the new impervious surface area created, and total final impervious surface area on the entire site after completion. (Site Development Div./JJD/NP)
24. Pay storm water system development charges for overall system conveyance for the net new private impervious area proposed. (Site Development Div./JJD/NP)
25. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div./JJD/NP)
26. Provide plans for street lights Option C unless otherwise approved by the City Operations and Maintenance Director. (Site Development Div./JJD/NP)

27. Provide plans for the placement of underground utility lines along street frontages, and for affected services to existing lots. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding must be paid per Section 60.65 of the Development Code. (Site Development Div./JJD/NP)
28. Provide plans showing a City standard commercial driveway apron at the intersection of any private or common driveway and a City public street. (Site Development Div./JJD/NP)
29. Provide a plan showing the necessary transportation mitigation improvements identified in the Traffic Impact Analysis dated February 2019, prepared by David Evans and Associates, Inc., including: (Planning/JF & Transportation/JK)
- a. Construction of an off-street bi-directional multi-use bike/pedestrian pathway along the site frontage between SW Barnes Road and the future undercrossing of the Highway 26 westbound on-ramp, consistent with sheet C100. Minimum clear width of the trail shall be 10 feet.
 - b. Construction of half street improvements along the site frontage on Cedar Hills Boulevard to a minimum of five lane arterial standards including sidewalks, but not including a bike lane, consistent with sheet C400.
 - c. Construction of a traffic signal at the intersection of SW Barnes Road and SW 116th Avenue, including interconnection with the traffic signal at Cedar Hills Boulevard and Barnes Road.
 - d. For the eastbound approach to the intersection of SW Barnes Road and SW 116th Avenue, widen Barnes Road between 117th Avenue and 116th Avenue to provide a through lane, a through/right-turn lane, and a left turn lane with a minimum storage of 75 feet. Construction of a bike lane and a sidewalk, subject to available right-of-way. Construction of left-turn lane does not include striping.
 - e. For the westbound approach to the intersection of SW Barnes Road and SW 116th Avenue, widen Barnes Road to provide a through lane, a through/right turn-lane, two left-turn lanes with a minimum storage length of 200 feet and a bike lane. Extend a continuous westbound side-by-side left turn lane from 116th Avenue to 117th Avenue. Extend a second westbound receiving lane. Construct a bike lane and sidewalk from 116th Avenue to 117th Avenue, subject to available right-of-way. Construction of second left turn lane does not include striping or a signal head.
 - f. For the northbound approach to the intersection of SW Barnes Road and SW 116th Avenue, construct a through/left-turn lane and a right turn-lane with a minimum storage length of 175 feet. Design traffic signal with a northbound right turn overlap signal phase.
 - g. Construction of half street improvements along the site frontage on Barnes Road to five lane arterial standards with bike lanes and sidewalks.

- h. For the southbound approach to the intersection of SW Cedar Hills Boulevard and SW Barnes Road, widen Cedar Hills Boulevard to provide a through lane, a through/right-turn lane with a storage length of between 180 and 200 feet, and a sidewalk extending the length of the through/right-turn lane.
 - i. For the eastbound approach to the intersection of SW Cedar Hills Boulevard and SW Barnes Road, widen Barnes Road to provide two right-turn lanes with a minimum storage length of 350 feet, two through lanes, a left-turn lane with a minimum storage length of 185 feet, a bike lane, and a sidewalk.
 - j. Modification of the traffic signal at the intersection of SW Barnes Road and SW Cedar Hills Boulevard to accommodate the improvements described in Conditions 28(h) and 28(i).
30. Provide a conceptual plan (30% design level) showing the feasibility of a multi-use trail along SW Cedar Hills Boulevard extending from the proposed sidewalk improvements shown on C100 to the undercrossing with a minimum clear width of 10 feet. This is conditioned only if the full undercrossing is not being constructed by the applicant. (Planning / JF)
31. Provide a signage and barrier plan for the multi-use trail along the SW Cedar Hills Boulevard site frontage until the Highway 26 westbound on-ramp undercrossing is completed. The plan shall be approved by the City Engineer and include provisions for the removal of the signage and barrier(s) when the pedestrian and bike connections are made to the south to SW Butner Road. (Planning / JF & Transportation / JK)
32. Provide a plan showing that pedestrian access is maintained from SW Cedar Hills Boulevard into the site at a minimum paved width of five (5) feet. Vehicular access at the internal pedestrian access from SW Cedar Hills Boulevard shall be emergency vehicle only. (Planning / JF)
33. Provide one additional pedestrian connection within the north surface parking lot connecting the northwest parking area to the internal pedestrian circulation system. (Planning / JF)
34. Provide a lighting plan showing conformance with the City's Technical Lighting Standards. (Planning / JF)
35. Provide a plan showing the construction of the ODOT sign bridge to accommodate the full future build-out of SW Cedar Hills Boulevard. (Planning / JF)
36. The following shall be recorded with Washington County (Contact Survey Division: 503-846-7932): (Washington County / NV)
- a. Dedication of additional right-of-way to meet a minimum of 51 feet from the centerline of SW Barnes Road from Sta. 45+36.22 to Sta. 46+67.29 along the site's frontage including additional right-of-way and easements that are required for a signal, turn lanes and associated equipment at the new public street (SW 116th

Avenue) connection to SW Barnes Road.

- b. Dedication of additional right-of-way to meet a minimum of 73 feet from the centerline of SW Barnes Road from Sta. 48+40.52 to Sta. 51+57.92 including adequate corner radius and easements needed for signal modifications at the intersection of SW Cedar Hills Boulevard.

37. Submit to Washington County Public Assurance Staff (503-846-3843): (Washington County/NV)

- a. Completed "Design Option" form, Geotech/Pavement Report, and Engineer's Checklist (Appendix "E" of the County Road Standards).
- b. \$60,000.00 Administration Deposit.
- c. A copy of the City's Notice of Decision and the County's Letter dated April 4, 2019.
- d. Provide evidence that the documents under 36. a. and b. have been recorded.
- e. Preliminary certification of adequate sight distance for the access point to SW Barnes Road, in accordance with County Code, prepared and stamped by a registered professional engineer, as well as:
 - i. A detailed list of improvements necessary to produce adequate intersection sight distance at the proposed new public street access.
- f. Engineering plans to County standards for construction of the following public improvements:
 - i. Half-street improvement to County standards along the site's SW Barnes Road frontage. The half-street improvement shall include additional pavement to meet County minimum lane widths and required lane configuration (dual EB right-turn lanes and two through lanes at SW Cedar Hills Boulevard and a WB a left-turn lane at SW 116th Ave.), 7 foot buffered bike lanes, curb and gutter, 10 foot sidewalks with tree wells and continuous illumination to County standards.
 - ii. Signal modifications, (including signal interconnect conduit from SW Barnes Road/SW Cedar Hills Boulevard to the westbound US 26 ramp terminal intersection) for a shared southbound through /right-turn lane to SW Barnes Road /SW Cedar Hills Boulevard and a second eastbound right-turn lane at SW Barnes Road/SW Cedar Hills Boulevard to County standards.
 - iii. Construct a new traffic signal and associated equipment at the intersection of SW Barnes Road and SW 116th Avenue, including one (1) WB left-turn lane with a minimum storage of 275 feet and a closed future WB left-turn lane with required minimum storage on SW Barnes Road. Signal interconnect conduit shall be installed along the site's SW Barnes

Road frontage.

- iv. Construct a shared southbound through/right-turn lane with a minimum storage of 180 feet at the intersection of SW Cedar Hills Boulevard and SW Barnes Road.
- v. Construct a second eastbound right-turn lane at the intersection of SW Barnes Road and SW Cedar Hill Boulevard.
- vi. Construct curb, gutter, bike lane and additional pavement on the north side of SW Barnes Road from the intersection of SW Cedar Hills Boulevard to the new intersection of SW 116th Avenue. Grade and alignment shall be approved by the County Engineer.

38. Obtain a Washington County Facility Permit upon completion of the following:

- a. Engineering Division approval of plans and a financial assurance for the construction of the public improvements listed in conditions 37.f.

39. Provide a plan showing: (TVF&R / DN)

- a. **FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDING AND TURNAROUNDS:** Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (OFC 503.1.1)
- b. **DEAD END ROADS:** Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. (OFC 503.2.5 & D103.1)
- c. **ADDITIONAL ACCESS ROADS – COMMERCIAL/INDUSTRIAL:** Buildings exceeding 30 feet in height or three stories in height shall have at least two separate means of fire apparatus access. Buildings or facilities having a gross building area of more than 62,000 square feet shall have at least two approved separate means of fire apparatus access. Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems. (OFC D104)
- d. **AERIAL FIRE APPARATUS ROADS:** Buildings with a vertical distance between the grade plane and the highest roof surface that exceeds 30 feet in height shall be provided with a fire apparatus access road constructed for use by aerial apparatus with an unobstructed driving surface width of not less than 26 feet. For the purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of the parapet walls, whichever is greater. Any portion of the building may be used for this measurement, provided that it is accessible to firefighters and is capable of supporting ground ladder placement. (OFC D105.1, D105.2)

- e. **AERIAL APPARATUS OPERATIONS:** At least one of the required aerial access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial access road is positioned shall be approved by the fire code official. Overhead utility and power lines shall not be located over the aerial access road or between the aerial access road and the building. (D105.3, D105.4)
- f. **MULTIPLE ACCESS ROADS SEPARATION:** Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the area to be served (as identified by the Fire Code Official), measured in a straight line between accesses. (OFC D104.3) Exception: Buildings equipped throughout with an approved automatic fire sprinkler system (the approval of this alternate method of construction shall be accomplished in accordance with the provisions of ORS 455.610(5)).
- g. **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. The fire district will approve access roads of 12 feet for up to three dwelling units and accessory buildings. (OFC 503.2.1 & D103.1)
- h. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)
 - i. **NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2):
 - 1. 20-26 feet road width – no parking on either side of roadway (signage to indicate the no parking)
 - 2. 26-32 feet road width – parking is allowed on one side (signage to indicate the no parking side)
 - 3. Greater than 32 feet road width – parking is not restricted
- i. **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3)
- j. **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall

be 26 feet and shall extend 20 feet before and after the point of the hydrant. (OFC D103.1)

- k. **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3)
- l. **TURNING RADIUS:** The inside turning radius and outside turning radius shall be not less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3)
- m. **ACCESS ROAD GRADE:** Fire apparatus access roadway grades shall not exceed 12%. When fire sprinklers* are installed, a maximum grade of 15% will be allowed.
 - i. 0-12% Allowed
 - ii. 12-15% Automatic fire sprinkler system* required
 - iii. 15-18% Consideration on a case by case basis with submission of written Alternate Methods and Materials request and automatic fire sprinkler system.*
 - iv. 18% and greater Not allowed
- n. **ANGLE OF APPROACH/GRADE FOR TURNAROUNDS:** Turnarounds shall be as flat as possible and have a maximum of 5% grade with the exception of crowning for water run-off. (OFC 503.2.7 & D103.2)
- o. **ANGLE OF APPROACH/GRADE FOR INTERSECTIONS:** Intersections shall be level (maximum 5%) with the exception of crowning for water run-off. (OFC 503.2.7 & D103.2)
- p. **AERIAL APPARATUS OPERATING GRADES:** Portions of aerial apparatus roads that will be used for aerial operations shall be as flat as possible. Front to rear and side to side maximum slope shall not exceed 10%.
- q. **ACCESS DURING CONSTRUCTION:** Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1)
- r. **COMMERCIAL BUILDINGS – REQUIRED FIRE FLOW:** The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be determined in accordance with residual pressure (OFC Appendix B Table B105.2). The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi.
 - i. Note: Appendix B, Section B106, Limiting Fire-Flow is also enforced, save and except for the following:

1. In areas where the water system is already developed, the maximum needed fire flow shall be either 3,000 GPM or the available flow in the system at 20 psi, whichever is greater.
 2. In new developed areas, the maximum needed fire flow shall be 3,000 GPM at 20 psi.
 3. Tualatin Valley Fire & Rescue does not adopt Occupancy Hazards Modifiers in section B105.4-B105.4.1
- s. FIRE FLOW WATER AVAILABILITY: Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B)
- t. WATER SUPPLY DURING CONSTRUCTION: Approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1)
- u. FIRE HYDRANTS – COMMERCIAL BUILDINGS: Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. (OFC 507.5.1)
- v. This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.
- w. The number and distribution of fire hydrants required for commercial structure(s) is based on Table C105.1, following any fire-flow reductions allowed by section B105.3.1. Additional fire hydrants may be required due to spacing and/or section 507.5 of the Oregon Fire Code.
- x. FIRE HYDRANT NUMBER AND DISTRIBUTION: The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in (OFC Table C105.1)
- y. FIRE HYDRANT(S) PLACEMENT: (OFC C104)
- i. Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants. (OFC 507.5.1)
 - ii. Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the fire code official.

- iii. Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets may be considered when approved by the fire code official.
- iv. Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the fire code official.
- z. FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD: Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway unless approved by the fire code official. (OFC C102.1)
- aa. FIRE DEPARTMENT CONNECTIONS: A fire hydrant shall be located within 100 feet of a fire department connection (FDC) or as approved. Fire hydrants and FDC's shall be located on the same side of the fire apparatus access roadway or drive aisle. (OFC 912 & NFPA 13)
 - i. Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
 - ii. FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants (as diagramed below).

B. Prior to Building Permit Issuance, the applicant shall:

- 40. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD/NP)
- 41. Have substantially completed the site development improvements as determined at site development permit issuance and the City Engineer. (Site Development Div./JJD/NP)
- 42. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD/NP)
- 43. Have submitted the paper copies of the draft final plat needed for City review and to the County Surveyor to begin processing. (Site Development Div./JJD/NP)
- 44. Provide a plan showing the areas identified as having a pedestrian trellis over pedestrian walkways have provide a solid canopy to provide weather protection those areas. (Planning / JF)
- 45. Provide a plan showing: (TVF&R / DN)

- a. KNOX BOX: A Knox Box for building access is required for this building. Please contact the Fire Marshal's Office for an order form and instructions regarding installation and placement. (OFC 506.1)
- b. UTILITY IDENTIFICATION: Rooms containing controls to fire suppression and detection equipment shall be identified as "Fire Control Room." Signage shall have letters with a minimum of 4 inches high with a minimum stroke width of 1/2 inch, and be plainly legible, and contrast with its background. (OFC 509.1)
- c. EMERGENCY RESPONDER RADIO COVERAGE: In new buildings where the design reduces the level of radio coverage for public safety communications systems below minimum performance levels, a distributed antenna system, signal booster, or other method approved by TVF&R and Washington County Consolidated Communications Agency shall be provided. (OSSC 915.1, OFC 510.1, and Appendix F)

C. Prior to Final Occupancy, the applicant shall:

- 46. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD/NP)
- 47. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD/NP)
- 48. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div./JJD/NP)
- 49. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD/NP)
- 50. Have obtained a Source Control Sewage Permit from the Clean Water Services District (CWS) and submit a copy to the City Building Official if an Industrial Sewage permit is required, as determined by CWS. (Site Development Div./JJD/NP)
- 51. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div./JJD/NP)
- 52. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/JF)
- 53. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/JF)
- 54. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit C", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/JF)

55. Obtain a Finaled Washington County Facility Permit, subject to completion of the following: (Washington County/NV)
- a. The road improvements required in condition 37.f. above shall be completed and accepted by Washington County.
 - b. Submit a Final Sight Distance Certification for the public street connection to SW Barnes Road.
 - c. Pay to Washington County the pro rata share of the cost to mitigate the traffic impacts noted in Sunset Station & Barnes PUD (CU2013-0003) as required per the City's Notice of Decision. Including:
 - i. Pay Washington County \$553,595 as a contribution toward the future construction of a bike/pedestrian pathway undercrossing at the westbound on-ramp to Highway 26. In lieu of paying the contribution towards the improvements, applicant at their own discretion may choose to construct the improvements as directed by ODOT and the County Engineer. Per Condition of Approval 33 of the Sunset Station and Barnes Road PUD the monetary contribution amount shall be adjusted on July 1st of each year. (Planning / JF & Transportation / JK)
 - ii. Pay ODOT \$276,797.50 as a contribution towards a variable message sign/variable speed sign to be installed by ODOT on OR 217 northbound between SW Walker Rd and the Barnes Road off-ramp. In lieu of the applicant paying the contribution toward the improvement, ODOT at its own discretion may choose to allow the signal length of the US 26/OR217 at SW Barnes Road intersection to be increased from 110 seconds to 120 seconds.
 - iii. Pay Washington County \$76,388 as an additional contribution for construction of the at grade multi-use path along SW Cedar Hills Boulevard between the internal pedestrian connection and the pedestrian undercrossing. The applicant may also elect to construct the improvement instead of paying the fee in lieu. (Planning / JF)

D. Prior to release of performance security, the applicant shall:

56. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD/NP)
57. Submit any required on-site easements not already dedicated on the plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. (Site Development Div./JJD/NP)

58. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation as shown on the approved plan within the storm water management facility as determined by the City Engineer. If the plants are not well established (as determined by the City Engineer and City Operations Director) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Public Works Director prior to release of the security. (Site Development Div./JJD/NP)

LD2019-0005 Replat One

A. Prior to Final Plat approval, the applicant shall:

1. Pay all City liens, taxes and assessments or apportion to individual lots. Any liens, taxes and assessments levied by Washington County shall be paid to them according to their procedures. (Planning / JF)
2. Show all required dedication for public streets. (Planning / JF)
3. Submit copies of the plat to the City for review and approval prior to submitting mylars. (Planning / JF)
4. Have commenced construction of the site development improvements to provide minimum critical public services to each lot (access graded, cored and rocked; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div./JJD/NP)
5. Show granting of any required on-site easements on the plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./JJD/NP)
6. Provide evidence that all existing easements on site which conflict with development have been removed or relocated prior to recording of the final plat. (Planning / JF)

LO2018-0005 Loading Determination

1. Ensure that the Design Review Three (DR2018-0128) application has been approved and is consistent with the submitted plans. (Planning/JF)

SDM2018-0007 Sidewalk Design Modification

1. Ensure that the Design Review Three (DR2018-0128) application has been approved and is consistent with the submitted plans. (Planning / JF)

TP2018-0008 Tree Plan Two

1. Ensure that the Design Review Three (DR2018-0128) application has been approved and is consistent with the submitted plans. (Planning / JF)
2. Provide tree protection fencing in accordance with the standards of Section 60.60.20 of the Development Code. Any alternatives to the standards in 60.60.20 must be approved by the City Arborist. (Planning / JF)